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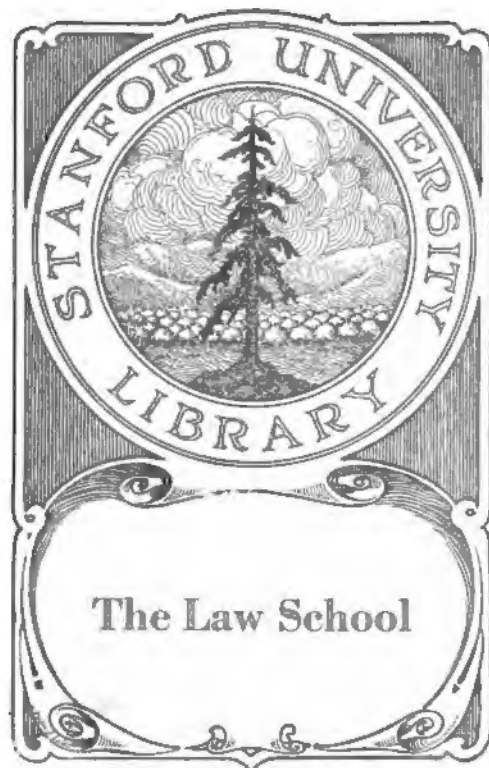
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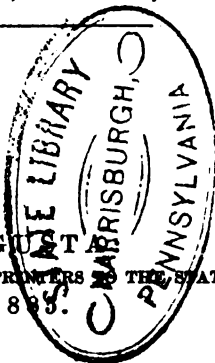
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PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1885.

Chapter 254.

An Act to amend section twenty-one of chapter fifty-nine of the Revised Statutes,
relating to the Record of Deaths.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows :*

Section twenty-one of chapter fifty-nine of the revised statutes is hereby amended by inserting after the word "ascertain" in the second line, the words 'from any public record authorized by the town of which they are such assessors, or' so that said section, as amended, shall read as follows :

Sec. 21, ch. 59,
R. S., amended.

'SECT. 21. The assessors, while taking the inventory of the polls and estates annually, shall ascertain from any public record authorized by the town of which they are such assessors, or by inquiry, the births and deaths during the year ending on the last day of March, and make return thereof to the town clerk by the last day of April; and parents, householders, masters of workhouses, almshouses, prisons, and vessels, shall give notice to the clerk of their town of the births and deaths which take place in their families, houses, or vessels, and the elder person next of kin shall give notice of the death of his kindred.'

Assessors to ascertain births and deaths, and return to town clerk; and parents and others to notify him of births and deaths.

Approved January 31, 1885.

Chapter 252, Public Laws of 1883, is "an act to revise and consolidate the laws of the State." [Revised Statutes.]

Chapter 253 is "an act to repeal the acts and resolves consolidated in the Revised Statutes of the year 1883, as well as obsolete and temporary Public Laws passed since the second revision, or designed to be repealed at the time of the third revision."

Chapter 255.

An Act additional to chapter one hundred and thirty-two of the Revised Statutes, relating to Trials before Magistrates.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Respondent may
appeal without
trial.

In all hearings before municipal or police courts or trial justices, the respondent may plead not guilty and waive a hearing, whereupon the same proceeding shall be had as to sentence and appeal as if there had been a full hearing.

Approved January 31, 1885.

Chapter 256.

An Act to amend sections one and two of chapter one hundred and twenty-two, Revised Statutes, relative to the Penalty for the Crime of Perjury.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 122,
R. S., amended.

SECT. 1. Section one of chapter one hundred and twenty-two of the revised statutes is hereby amended by striking out in the last clause thereof, the words "less than two, nor" so that said section as amended, shall read as follows:

Definition and
punishment of
perjury and
subornation of
perjury.

'SECT. 1. Whoever, when required to tell the truth on oath or affirmation lawfully administered, wilfully and corruptly swears or affirms falsely to a material matter, in a proceeding before any court, tribunal, or officer created by law, or in relation to which an oath or affirmation is authorized by law, is guilty of perjury; and whoever procures another to commit perjury is guilty of subornation of perjury; and shall be punished in either case, if the perjury was committed in a trial of a capital crime, by imprisonment for life or for any term of years not less than ten, and if committed in any other case, by imprisonment for not more than ten years.'

Sec. 2 amended.

SECT. 2. Section two of chapter one hundred and twenty-two of the revised statutes is hereby amended by striking out therefrom the words, "less than one, nor" so that the same shall read as follows:

'SECT. 2. Whoever wilfully and corruptly endeavors to incite or procure another to commit perjury, although it is not committed, shall be punished by imprisonment for not more than five years.'

Approved February 2, 1885.

Chapter 257.

An Act to amend section twenty-five of chapter forty of the Revised Statutes, relating to the taking of Clams and Shell-Fish.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section twenty-five of chapter forty of the revised statutes is amended by striking out the word "any" in the first line, and inserting in place thereof the words 'its annual,' so that said section as amended shall read as follows :

Sec. 25, ch. 40.
R. S., amended.

'SECT. 25. A town may at its annual town meeting fix the times in which clams may be taken within its limits, and the prices for which its municipal officers shall grant permits therefor; and unless so regulated by vote, residents of the town may take clams without written permit. But without permit any inhabitant within his own town, or transient person therein, may take clams for the consumption of himself or family. This section does not apply to hotel-keepers taking clams for the use of their hotels, nor does it interfere with any law relating to the taking of shell-fish for bait by fishermen. Whoever takes clams contrary to municipal regulations authorized by this section, shall, for each offence, be fined not more than ten dollars, or imprisoned not more than thirty days, or both.'

Towns may
regulate the
taking of clams

—otherwise,
residents may
take without
permit.

SECT. 2. This act shall take effect when approved.

Approved February 2, 1885.

Chapter 258.

An Act relating to the jurisdictions of municipal and police judges and trial justices in prosecutions for violation of the Fish and Game laws.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In all prosecutions under chapter thirty, revised statutes of the State of Maine, of one thousand eight hundred and eighty-three, relating to moose, deer, caribou and other wild game, and of chapter forty, relating to fish and fisheries and all the acts amendatory of said chapters, municipal and police judges and trial justices within their counties have, by complaint, original and concurrent jurisdiction with the supreme judicial and superior courts.

Municipal and
police courts and
trial justices to
have concurrent
jurisdiction
with S. J. and
Superior Courts.

SECT. 2. This act shall take effect when approved.

Approved February 2, 1885.

Chapter 259.

An Act to change the time for holding the terms of the Supreme Judicial Court in Oxford County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Time of holding
terms of S. J.
Courts in Oxford
County changed.

SECT. 1. After the first day of April in the present year, the supreme judicial court, within and for the county of Oxford, shall be holden at Paris in said county, on the second Tuesday of October and on the second Tuesday of February, annually, instead of at the times as now provided by law. And in addition to the above named terms, the same court shall be held annually hereafter, by one of the justices thereof, at said Paris, on the first Tuesday of May, which last named term shall be held without either grand or traverse jury, unless otherwise specially ordered by any judge of said court. All recognizances and other criminal processes, made returnable to, and to have day in said May term, when no criminal business is transacted, shall be continued to, and have day in the next term of said court, held in said county.

Additional term
provided for.

Matters returna-
ble at Sept. term
to have day at
Oct. term.

SECT. 2. All matters pending in, or returnable to said court, and which would, but for the provisions of this act, have day at the term of said court to be held on the third Tuesday of September of the present year as provided by law, shall be returnable to, and have day at the term of said court to be held on the second Tuesday of October. And all matters pending in, or returnable to said court, and which would, but for the provision of this act, have day at the term of said court, to be held on the second Tuesday of March, in the year of our Lord, one thousand eight hundred and eighty-six, as by law provided, shall be returnable to, and have day at the term of said court to be held on the second Tuesday of February, in the year of our Lord, one thousand eight hundred and eighty-six.

Matters returna-
ble at March
term, to have day
at the Feb. term.

Approved February 5, 1883.

Chapter 260.

An Act to repeal those portions of the thirty-first section of chapter forty of the Revised Statutes relating to Nequasset stream in Woolwich, and Cobscook or Orange river in Whiting.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

So much of section thirty-one of chapter forty of the revised statutes, as relates to Nequasset stream in Woolwich, and Cobscook or Orange river in Whiting, is hereby repealed and the fisheries and rights of fishery in said waters are hereby made subject to and protected by the general provisions of the revised statutes relating to migratory fishes and inland fisheries.

Sec. 31 of ch. 40 of the R. S. amended.

Nequasset stream and Orange river made subject to general provisions relating to migratory fish.

Approved February 11, 1885.

Chapter 261.

An Act to amend section seventeen of chapter forty of the Revised Statutes, relating to Migratory Fish.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section seventeen of chapter forty of the revised statutes is hereby amended as follows: After the word "herring" in the first line of said section, insert the word 'shad.' Strike out the word "two" in the fourth line and in its place insert the word 'three.' Strike out the word "said," in the sixth line, and in its place insert the word 'any.' After the words "or seines," in the sixth line, insert the words 'employed in such unlawful fishing.' Strike out the word "one" in the sixth line and in its place insert 'three.' Strike out the word "three" in the seventh line, and in its place insert 'five.' After the word "depth," in the fifteenth line, insert the words 'and a net for meshing shad of not more than seventy-five meshes in depth,' so that said section as amended shall read as follows :

Sec. 17, ch. 40 of the R. S., amended.

'SECT. 17. The taking of mackerel, herring, shad, porgies, or menhaden, and the fishing therefor by the use of purse and drag seines is prohibited in all small bays, inlets,

Taking or fishing for mackerel, herring and porgies with seines, prohibited in certain waters.

CHAP. 262

—penalties, how recovered and for whose benefit.

—lien upon vessels, etc.

—seine defined.

harbors, or rivers, where any entrance to the same, or any part thereof from land to land, is not more than three nautical miles in width, under a penalty upon the master or person in charge of such seines, or upon the owners of any vessel or seines employed in such unlawful fishing, of not less than three hundred, nor more than five hundred dollars, to be recovered by indictment, or action of debt; one-fourth of the penalty to the complainant or prosecutor, and three-fourths to the county in which the proceedings are commenced; and there shall be a lien upon the vessels, steamers, boats, and apparatus used in such unlawful pursuit until said penalty, with costs of prosecution, is paid; but a net for meshing mackerel, or porgies, of not more than one hundred meshes in depth, and a net for meshing herring, of not more than one hundred and seventy meshes in depth, and a net for meshing shad, of not more than seventy-five meshes in depth, shall not be deemed a seine.'

Approved February 11, 1885.

Chapter 262.

An Act to provide for notice of special legislation for Protection of Fish.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Protection of fish by special legislation to be published by posting notices on banks of protected waters.

Manner of posting.

Style and size of letters, etc.

SECT. 1. It shall be the duty of all persons that are or may be benefited by legislation, other than the general statutes, for the protection of fish in any waters of this state, to publish such protection by posting and maintaining notices, as hereinafter provided. Said notices shall be placed on the banks or shores of such protected waters, not more than ten feet and not less than six feet above the ground, in a conspicuous position; and if on running water, such notices shall be not more than one-half mile apart on the banks of such waters; and if on a pond or lake, not more than one mile apart on the shores of such pond or lake.

SECT. 2. Said notices shall be painted on wood in black roman letters not less than two inches in length and not less than one-half inch in breadth, so that such letters shall be plainly legible, and such notices shall state the number of the

act and the date of same giving the said protection to such waters.

SECT. 3. Any one mutilating or destroying such notices shall be subject to the same penalties as set forth in section twenty, chapter one hundred and twenty-seven of the revised statutes.

Penalty for mutilating or destroying notices.

SECT. 4. In case no notices as herein provided, are posted and maintained on waters that are protected by special laws, then, no one violating such laws shall be liable thereunder to any penalties set forth in such laws.

Penalties cannot be enforced if notices are not posted.

Approved February 16, 1885.

Chapter 263.

An Act amending chapter two, sections forty and forty-one, Revised Statutes, relative to record of Qualification of Justices of the Peace.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter two, sections forty and forty-one, of the revised statutes, is hereby amended so as to read as follows :

Secs. 40 and 41 of ch. 2, R. S., amended.

'SECT. 40. The secretary of state shall on the first days of June and December, forward to the registers of probate courts, judges of municipal and police courts, clerks of United States courts and United States pension agents in the state, a list of all justices of the peace, justices of the peace and quorum, trial justices, and notaries public, whose commissions are then in force, and the evidence of whose qualifications has been filed in his office within the six months next preceding the time of forwarding such lists, which shall contain the name and residence of every such officer, the date of his commission, and the county or counties for which he is commissioned, and he shall send at the same time two copies of such lists to each of the clerks of the state courts.'

Lists of justices of the peace, etc., to be furnished clerks of courts, &c.

'SECT. 41. The clerks of the state courts shall make a memorandum on such lists of the fact and date of their reception, and either of such lists so attested, or the certificate of such clerk under the seal of his court, shall be legal but not conclusive evidence of the appointment and qualification of such officers, and at the expiration of each decade of years it shall be the duty of the clerk then in office to have one set of such lists received during the decade, bound in a substantial manner.'

Clerks of courts shall make memorandum of reception of.

—attested lists or certificates of clerks, evidence of appointment.

Approved February 16, 1885.

CHAP. 264**Chapter 264.**

An act establishing the standard weight of a bushel of beans.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Standard weight
of beans fixed.

SECT. 1. The standard weight of a bushel of beans in good order and fit for shipping is sixty pounds.

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 265.

An Act to amend section thirteen of chapter one hundred and sixteen of the Revised Statutes, relating to witness fees in Probate Courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 13, ch. 116,
R. S., amended.

Section thirteen of chapter one hundred sixteen of the revised statutes is hereby amended as follows :

By striking out the words "and in the probate court" in the second line thereof, and inserting said words between the words "courts" and "shall" in the first line thereof, so that said section as amended shall read as follows :

Fees of witnesses.

'SECT. 13. Witnesses in the supreme judicial or superior courts, and in the probate court shall receive one dollar and fifty cents, or before the county commissioners, one dollar for each day's attendance and six cents for each mile's travel going out and returning home ; and before a justice of the peace and of the quorum, a trial justice, a judge of a municipal or police court, referees, auditors or commissioners specially appointed to take testimony, fifty cents a day for attendance, and for travel, the same as at the courts aforesaid.'

Approved February 16, 1885.

Chapter 266.

An Act to establish a standard weight of a barrel of potatoes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The standard weight of a barrel of potatoes, in good order and fit for shipping, is one hundred and sixty-five pounds. Standard weight of potatoes fixed

SECT. 2. Whoever, acting for himself or as the employe of another, takes more than the standard weight for a barrel of potatoes, shall forfeit fifty cents for each barrel, to the person prosecuting therefor, within thirty days. Penalty for taking more than standard weight.

SECT. 3. This act shall take effect when approved.

Approved February 16, 1883.

Chapter 267.

An Act relating to scientific temperance instruction in public schools.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Provision shall be made by the proper local school authorities for instructing all pupils in all schools, supported by public money or under state control, in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. Instruction in physiology and hygiene required in public schools.

SECT. 2. No certificate shall be granted any person to teach in the public schools of this state after the fourth day of July, eighteen hundred and eighty-five, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. —knowledge of, requisite, before applicant to teach can receive certificate.

Approved February 19, 1885.

CHAP. 268**Chapter 268.**

An Act to amend section one hundred and twenty-seven of chapter eleven of the Revised Statutes, relating to School for the Deaf.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 127, ch. 11
of the R. S.
amended.

Section one hundred and twenty-seven of chapter eleven of the revised statutes is hereby amended by adding to the last line the words 'sent to the American Asylum at Hartford, Connecticut, and not exceed two hundred dollars a year for each pupil sent to the Portland School for the Deaf, at Portland, Maine,' so that said section when amended shall read as follows :

Governor to draw
warrant to pay for
instruction.

'SECT. 127. The governor may draw his warrant for the sums necessary to pay for the instruction and support of such pupils as may be sent to said institutions, respectively, pursuant to the preceding section, the same not to exceed one hundred and seventy-five dollars a year for each pupil sent to the American Asylum at Hartford, Connecticut, and not exceed two hundred dollars a year for each pupil sent to the Portland School for the Deaf at Portland, Maine.'

Approved February 19, 1885.

Chapter 269.

An Act to amend section eight of chapter twenty-four of Revised Statutes, relating to paupers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 8, ch. 24, R.
S., amended.

SECT. 1. Section eight of chapter twenty-four of the revised statutes of eighteen hundred and eighty-three, is hereby amended by adding the following words to the end thereof, to wit : 'But the time during which said soldier is so dependent shall not be included in the period of residence necessary to change his settlement,' so that said section as amended shall read as follows :

Soldiers not to be
considered
paupers.

'SECT. 8. No soldier, who served by enlistment in the army or navy of the United States, in the war of eighteen hundred and sixty-one, and has received an honorable dis-

charge from said service, and who has or may become dependent upon any town, shall be considered a pauper, or be subject to disfranchisement for that cause; but the time during which said soldier is so dependent shall not be included in the period of residence necessary to change his settlement.'

SECT. 2. This act shall take effect when approved.

Approved February 19, 1885.

Chapter 270.

An Act for the protection of Lobster Traps.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Whoever takes up, or attempts to take up, or in any way knowingly and wilfully interferes with any lobster trap, while set for use, in the season in which it is lawful to prosecute the lobster fishery, without the authority of the owner thereof, shall be punished by a fine of not less than twenty nor more than fifty dollars, to be recovered by indictment or an action of debt, one-half to the complainant and one-half to the county where such proceedings are commenced; *provided, however*, that no action or indictment shall be maintained under this act unless the name of the owner of all such traps shall be carved or branded in legible letters, not less than three-fourths of an inch in length, on all the buoys connected with such traps.

Penalty for interfering with lobster traps.

Proviso.

Approved February 24, 1885.

Chapter 271.

An Act to amend section fifty-four of chapter forty of the Revised Statutes, relating to the transportation of trout, togue and land-locked salmon.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section fifty-four of chapter forty of the revised statutes is hereby amended so that said section, as amended, shall read as follows :

Sec. 54, ch. 40, R. S., amended.

CHAP. 272

Transportation of more than fifty pounds at a time, how punished.

'SECT. 54. No person shall take, catch, kill, or have in possession, at any one time, for the purpose of transportation, more than fifty pounds of land-locked salmon, trout or togue, in all, nor shall any such be transported except in the possession of the owner thereof, under a penalty of fifty dollars for the offence and five dollars for every pound of land-locked salmon, trout or togue, in all, so taken, caught, killed, in possession, or transportation, in excess of fifty pounds, and all such fish transported in violation of this section may be seized, on complaint, and shall be forfeited to the prosecutor. Whoever has in possession more than fifty pounds in all of such fish, shall be deemed to have taken them in violation of this section.'

Approved February 24, 1885.

Chapter 272.

An Act in relation to the taking of Alewives by the town of Warren, in Georges River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows ;

Sec. 41, ch. 40, R. S., not to apply to taking alewives in Georges and Medomak rivers.

SECT. 1. Section forty-one of chapter forty of the revised statutes shall not apply to the taking of alewives by the town of Warren in the Georges river, and by the town of Waldoborough in the Medomak river under the authority granted said towns by the private and special laws of Massachusetts, passed March six, eighteen hundred and two, and amendments thereto passed by the legislature of this state.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 273.

An Act to provide for the holding of county Teachers Conventions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

School officers, and teachers may form associations for improvement in art of teaching.

SECT. 1. Whenever not less than thirty of the teachers and school officers of any county shall have formed an association under rules of government approved by the state

superintendent of common schools, for the purpose of mutual improvement in the science and art of teaching, and of creating popular interest in, and diffusing a knowledge of the best methods of improving our public school system, by the holding of conventions at least once every year under the supervision of the state superintendent, the state shall defray the necessary expenses attending the holding such conventions, for which purpose the sum of six hundred dollars is hereby annually appropriated, to be deducted and set aside therefor by the treasurer of state from the annual school fund of the state; *provided, however*, that no more than two such associations shall be formed in any county, and that the expenses as aforesaid of no more than two conventions of any such association in any year shall be defrayed by the state.

—may hold conventions.

Expenses, how paid.

Proviso.

SECT. 2. Teachers of public schools are hereby authorized to suspend their schools for not more than two days in any year during the sessions of such conventions within their counties, unless otherwise directed in writing by the school officers and attend said conventions without forfeiture of pay for the time of such attendance, *provided* they shall present to the officers employing them, certificates signed by the secretaries of such conventions and countersigned by the state superintendent of common schools, showing such attendance.

SECT. 3. The governor and council are hereby authorized to draw warrants on the treasurer of state for the payment of bills for the expenses herein provided for, when such bills shall have been approved by the state superintendent of common schools, *provided, however*, that no bills shall be so paid except those for advertising such conventions, and for actual traveling expenses of speakers and lecturers not residing in the counties in which such conventions are held.

Governor to draw warrants to pay expenses.

—proviso.

SECT. 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Inconsistent acts repealed.

Approved February 24, 1885.

CHAP. 274**Chapter 274.**

An Act to restore the salary of the Register of Probate for Washington County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 4, ch. 115,
R. S., amended.

SECT. 1. That section four, chapter one hundred and fifteen, line seventeen, of the revised statutes, be and is hereby amended by striking out the word "four," so that as amended said line shall read: Washington, five hundred dollars.

Salary restored.

SECT. 2. This act shall take effect when approved.

Approved February 26, 1885.

Chapter 275.

An Act to amend chapter forty of the Revised Statutes, relating to Fish and Fisheries.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 19, ch. 40,
R. S., amended.

SECT. 1. Section nineteen of chapter forty of the revised statutes is hereby amended so that as amended it shall read as follows :

Close time for
lobsters between
Aug. 15 and
Oct. 1.

'SECT. 19. There shall be a close time for lobsters between the fifteenth day of August and the first day of October, during which no lobster shall be fished for, taken, caught, killed, bought, sold, exposed for sale, or in possession, in cars, pounds or otherwise, under a penalty of fifty dollars for the offence and one dollar for every lobster so taken, caught, killed, bought, sold, exposed for sale, or in possession as aforesaid; *provided, however,* that the provisions of this section shall not apply to any person taking lobsters not less than ten and one-half inches in length for the sole use and consumption of himself or family.'

—penalty.

—proviso.

Sec. 20 amended.

SECT. 2. Section twenty of said chapter is hereby amended so that as amended it shall read as follows :

Lobsters not to be
canned between
July 15 and
April 1.

'SECT. 20. No person or corporation shall can or preserve any lobsters between the fifteenth day of July and the first day of the following April, under a penalty of five dollars for every lobster so canned or preserved and a further

—penalty.

penalty of three hundred dollars for each day on which such unlawful canning or preserving is done.'

SECT. 3. Section twenty-one of said chapter is hereby amended so that as amended it shall read as follows :

Sec. 21 amended.

'SECT. 21. It is unlawful to fish for, catch, buy, sell, expose for sale or possess between the first day of October and the fifteenth day of the following August, any female lobster in spawn or with eggs attached, or any young lobster less than ten and one-half inches in length, measuring from head to tail extended, exclusive of claws or feelers, and such lobsters when caught shall be liberated alive at the risk and cost of the party taking them, under a penalty of one dollar for each lobster so caught, bought, sold, exposed for sale, or in possession not so liberated. *Provided, however,* that from the first day of April to the fifteenth day of July it shall be lawful to fish for, catch, buy, sell, expose for sale, or possess for canning and all other purposes, any lobsters not less than nine inches in length, measured as aforesaid, but not including female lobsters in spawn or with eggs attached.'

Close time for female and young lobsters, between Oct. 1 and Aug. 15.

—penalty.

Lawful to fish for, between April 1 and July 15.

—exceptions.

SECT. 4. Section thirty-three of said chapter is hereby amended so that as amended said section shall read as follows :

Sec. 33 amended.

'SECT. 33. The governor, with the advice and consent of council, shall appoint one or two persons, as they think best, to be commissioners of fisheries and game, who shall have a general supervision of the fisheries regulated by the following sections and of the game laws. Said commissioners shall examine dams and all other obstructions existing in all rivers and streams, and determine the necessity of fishways and the location, form and capacity thereof; visit those sections where fisheries regulated by this chapter are carried on, and introduce and disseminate valuable species of fish into waters where they do not exist. The governor, with the advice and consent of council, shall also appoint one other commissioner, who shall have general supervision of the sea and shore fisheries and shell fish regulated by this chapter. Said commissioners shall hold office for three years unless sooner removed. They shall examine into the workings of the fish and game laws, see that violations thereof are duly prosecuted, and perform all other duties prescribed by law.

Commissioners of Fisheries, how appointed.

—duties.

Commissioner of Sea and Shore Fisheries, to be appointed.

—terms.

—duties.

CHAP. 276 They shall report annually on or before the thirty-first day of December to the governor, who shall cause three thousand copies to be printed.'

—report.

Approved February 27, 1885.

Chapter 276.

An Act to amend section twenty-six of chapter thirty of the Revised Statutes, relating to the Disposal of Fines.

Sec 26, ch. 30,
R. S., amended.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-six of chapter thirty of the revised statutes, is hereby amended by striking out of the last clause the words "the commissioners shall appropriate the same to such society as aforesaid as they deem proper," and inserting in lieu thereof 'the same shall be paid into the county treasury,' so that said section as amended, shall read as follows :

Penalties. how
recovered.

'SECT. 26. All penalties imposed by the six preceding sections may be recovered by action of debt, or by complaint or indictment, in the name of the state, by any warden or his deputies, or any other person, in any county in which such offence is committed or the accused resides ; and in all actions therefor, in the supreme judicial or superior courts, if the plaintiff prevails, he recovers full costs without regard to the amount recovered. All fines and penalties recovered for violations of the seventeen preceding sections, except sections fifteen and sixteen, shall be paid one-half to the complainant and one-half to any game and fish protective society, or other sportsman's association organized under the laws of Maine, and located in the county where said fines and penalties are recovered ; *provided*, that said society or association expends the same in the propagation and cultivation of trout and salmon for the fresh water lakes and ponds of the state, under the direction and supervision of the fish commissioners. If more than one such society or association is located in such county, said commissioners shall designate to which society the money shall be paid, or they may cause the same to be divided between them. If there is no such society or association in said county, the same shall be paid into the county treasury.'

—full costs.

—fines, how
disposed of.

—proviso.

Approved February 27, 1885.

Chapter 277.

An Act to amend section one hundred of chapter forty-seven of the Revised Statutes, relating to Banks and Banking.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section one hundred of chapter forty-seven of the revised statutes is hereby amended by inserting in the twenty-first line, after the word "mortgage," the words, 'in the first mortgage bonds of any water company in this state, actually engaged in supplying, to any city or town having not less than forty-five hundred inhabitants, water for domestic use, and for the extinguishment of fires,' so that said section shall read as follows :

Sec. 100. ch. 47,
R. 8., amended.

'SECT. 100. Savings banks and institutions for savings are restricted to and hereafter may invest their deposits in the public funds of any of the New England states, including bonds of the counties, cities and towns of the same; in the public funds of the United States and District of Columbia; in the stock of any bank or banking association incorporated under authority of this state or of the United States; in the municipal bonds of cities of ten thousand inhabitants, or more, of the states of New York, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois and Missouri, and in the public funds of each of the above named states, and in the bonds of counties in said states having twenty thousand population, when not issued in aid of railroads; *provided*, that no investment shall be made in the bonds of any cities or counties of the states above named, except of the city of St. Louis, Missouri, where the municipal indebtedness of such city or county exceeds five per cent of its valuation; in the first mortgage bonds of any completed railroads of the states above named, together with New Jersey, Kansas, Nebraska and in the first mortgage bonds of the Central Pacific, Union Pacific and Northern Pacific railroads, and in the railroad bonds of this state; in the stock of any dividend paying railroad in New England; in the stocks of any railroad company in this state unincumbered by mortgage; in the first mortgage bonds of any water company in this state actually engaged in supplying to any city or town having not less than forty-five

Investments of
deposits.

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hundred inhabitants, water for domestic use and for the extinguishment of fires; in the stock and bonds of any other corporations incorporated under authority of this state which earn and are paying regular dividends of not less than five per cent a year; and may invest by loan on first mortgages of real estate in this state and New Hampshire, not exceeding sixty per cent of its value; and may loan to any county, city or town thereof; and on notes with a pledge as collateral of any of the aforesaid securities, including savings bank deposit books of any savings bank in the state, and the stock of any of said railroad companies, not over seventy-five per cent of the market value of such stock; and may loan to corporations having real estate and doing business in this state; and may also loan on a pledge or mortgage of such other personal property as, in the judgment of the trustees, it is safe and for the interest of the bank to accept. Savings banks may invest in the car trust securities issued by any railroad not in default on the interest upon its first mortgage bonds, and any car trust securities guaranteed by a car trust or railroad equipment company; *provided*, that such car trust or equipment company has paid two dividends on its capital stock. All investments shall be charged and entered on the books of the bank at their cost to the bank, or at par when a premium is paid.'

Approved February 27, 1885.

Chapter 278.

An Act to establish the legal weight of a bushel of Herdsgrass Seed.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Standard weight
of a bushel of
herdsgrass seed,
fixed.

SECT. 1. The standard and legal weight of a bushel of herdsgrass seed, when well cleaned and in good condition, is forty-five pounds.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 279.

An Act to amend section sixteen of chapter one hundred and thirty-two of the Revised Statutes, relating to Appeals from Magistrates.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section sixteen of chapter one hundred and thirty-two of the revised statutes is hereby amended, by adding thereto the following words :

Sec. 16, ch. 132,
R. S., amended.

'The appellant may, at any time before such copy has been sent to the appellate court, come personally before such magistrate, who may permit him, on motion to withdraw his appeal and abide by the sentence appealed from ; whereupon, he shall be ordered to comply with said sentence and the sureties taken upon the recognizance upon such appeal shall be discharged. If the appellant is detained in jail for want of sureties to prosecute his appeal, he may give notice, in writing, to the jailer, of his desire to withdraw his appeal and abide by the sentence appealed from ; whereupon, such jailer shall cause him to be taken before such magistrate, who shall order him to comply with the sentence appealed from, as hereinbefore provided ; and in such case the jailer, or officer taking the appellant before the magistrate by his direction, shall be entitled to the same fees, to be taxed and paid as a part of the costs of prosecution, as are allowed to an officer for serving a mittimus.'

Appellant may
withdraw appeal
and abide by
sentence.

—fees of officer.

Approved February 27, 1885.

Chapter 280.

An Act amendatory to section twenty-nine of chapter ninety-one of the Revised Statutes, to create a Lien on Wood.

SECT. 1. Section twenty-nine of chapter ninety-one of the revised statutes is hereby amended by adding after the word "bark," in the first line, the words 'or cutting cord wood,' and by adding after the word "bark," in the fifth line, the words 'or wood,' so that said section, as amended, shall read as follows, namely :

Sec. 29, ch. 91,
R. S., amended.

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Lien on hemlock
bark for labor.

—proviso.

'SECT. 29. Whoever labors at cutting and peeling hemlock bark or cutting cord wood, has a lien thereon for the amount due for his personal services, which takes precedence of all other claims, continues for thirty days, and may be enforced by attachment; *provided, however*, that such lien shall not continue after the bark or wood has arrived at a market.'

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 281.

An Act to provide for the proper expenditure of School Funds in plantations.

School moneys of
plantations, how
expended.

SECT. 1. All moneys due plantations from the state treasury for school purposes, shall be paid to the treasurers of such plantations, under the same conditions as in case of towns, and the same shall be expended by such plantations, under the same restrictions and limitations as are required of towns.

Inconsistent acts
repealed.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved February 27, 1885.

Chapter 282.

An Act to amend section four of chapter one hundred and forty of the Revised Statutes, relating to the State Prison.

Sec. 4, ch. 140,
R. S., amended.

SECT. 1. Section four of chapter one hundred and forty is hereby amended so as to read as follows :

Supervision and
officers.

'SECT. 4. The supervision of the state prison is vested in the governor and council, but its government and direction are in a board of three prison and jail inspectors, one warden, one deputy warden, one clerk, eleven guards, one of whom shall perform the duties of commissary, and such number of overseers and aids as the inspectors determine to be necessary.'

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 283.

An Act to facilitate the giving of Bonds required by law.

SECT. 1. Any company with a paid up capital of not less than two hundred and fifty thousand dollars, duly incorporated and organized for the purpose of transacting business as surety on obligations of persons or corporations, and which has complied with all the requirements of the law regulating the admission of such companies to transact business in this state, may, upon production of evidence of solvency and credit satisfactory to the judge, head of department or other officer authorized to approve such bond, be accepted as surety upon the bond of any person or corporation required by the laws of this state to execute a bond, and if such surety company shall furnish satisfactory evidence of its ability to provide all the security required by law, no additional surety may be exacted, but other surety or sureties may, in the discretion of the official authorized to approve such bond, be required, and such surety company may be released from its liability on the same terms and conditions as are by law prescribed for the release of individuals, it being the true intent and meaning of this act to enable corporations created for that purpose to become surety on bonds required by law, subject to all the rights and liabilities of private individuals.

Any company organized for such purposes with sufficient capital, may be accepted as surety on bonds required by law.

SECT. 2. Any court or officer whose duty it is to pass upon the account of any person or corporation required by law to give a bond, may, whenever such person or corporation has given any such surety company as surety upon said bond, allow in the settlement of such account a reasonable sum for the expense of procuring such surety.

Expenses of procuring surety, how paid.

SECT. 3. Any company which shall execute any bond as surety under the provisions of this act shall be estopped, in any proceedings to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute such instrument or assume such liability.

Company estopped to deny liability.

SECT. 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Inconsistent acts repealed.

Approved February 27, 1885.

Chapter 284.

An Act to regulate the admission of Foreign Surety Companies to do business in this State.

Foreign Surety companies may do business in this state upon compliance with this act.

SECT. 1. Any company, incorporated and legally organized under the laws of any foreign country, or of any state of the United States, other than the state of Maine, for the purpose of transacting business as surety on obligations of persons or corporations, may transact such business in this state upon complying with the provisions of this act, and not otherwise.

Shall first appoint Ins. Com. Attorney, upon whom process may be served.

SECT. 2. No surety company not incorporated under the authority of this state shall, directly or indirectly, take risks or transact business in this state until it shall have first appointed, in writing, the insurance commissioner of Maine to be the true and lawful attorney of such company in and for this state, upon whom all lawful process, in any action or proceeding against the company, may be served with the same effect as if the company existed in this state. Said power of attorney shall stipulate and agree on the part of the company that any lawful process against the company which is served on said attorney shall be of the same legal force and validity as if served on the company, and that the authority shall continue in force so long as any liability remains outstanding against the company in this state. A certificate of such appointment, duly certified and authenticated, shall be filed in the office of the said insurance commissioner, and copies certified by him shall be received in evidence in all the courts of this state. Service upon such attorney, or upon any duly appointed agent of the company within this state, shall be deemed sufficient service upon the company.

— process on, valid, as if served on company.

Certificate of appointment to be filed with Commissioner.

SECT. 3. Whenever lawful process against a surety company shall be served upon said insurance commissioner, he shall forthwith forward a copy of the process served on him, by mail, postpaid, and directed to the secretary of the company. For each copy of process, the insurance commissioner shall collect the sum of two dollars, which shall be paid by the plaintiff at the time of such service, the same to be recovered by him as part of the taxable costs, if he prevails in the suit.

Copy of all processes to be forwarded to Secretary of Co.

Fees of Commissioner.

SECT. 4. No person shall act within this state, as agent or otherwise, in procuring or securing applications for suretyship upon the bond of any person or corporation, or aid in transacting the business of such suretyship for any company incorporated or organized under the laws of any other state or country, unless such company is possessed of two hundred and fifty thousand dollars capital, and unless at least one hundred thousand dollars of said capital is invested in stocks or securities created by the laws of the United States, or in other safe stocks or securities, the value of which, at the time of such deposit, shall be at or above par, and deposited with the insurance commissioner, auditor, comptroller, or chief financial officer of the state under whose laws such company is incorporated; and in case of a company incorporated under the laws of a foreign country, such deposit shall be made with any of the officers above designated in the state of New York, or in any of the New England states; and unless the insurance commissioner is furnished with the certificate of such insurance commissioner, auditor, comptroller, or chief financial officer aforesaid, under his hand and official seal, that he, as such insurance commissioner, auditor, comptroller, or chief financial officer of such state, holds in trust for the benefit of all obligees of such company, the deposit before mentioned; which certificates shall embrace the items of security so held, and shall state that he is satisfied that such securities are worth one hundred thousand dollars.

Capital.

—how invested
and where
deposited.Commissioner
must be furnished
with certificate
of deposit.

SECT. 5. Every person who shall so far represent any surety company established in any other state or country, as to receive or transmit applications for suretyship, or to receive for delivery, bonds founded on applications forwarded from this state, or otherwise to procure suretyship to be effected by such company upon the bonds of persons or corporations in this state, or upon bonds given to persons or corporations in this state, shall be deemed as acting as agent for said company, and shall be subject to the restrictions and liable to the penalties herein made applicable to agents of such companies.

Who shall be
deemed agents.

—liabilities of.

SECT. 6. Every such company, before transacting any business as aforesaid, shall deposit with the insurance commissioner a copy of its charter, and also a statement, signed

Copy of charter
and statement of
capital to be
deposited with
commissioner.

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Licenses, how
granted.

and sworn to by the president and secretary of the company, stating the amount of its capital and the manner of its investments, designating the amount invested in mortgage, in public securities, in the stock of incorporated companies, stating what companies, and also the amount invested in other securities, particularizing each item of investment, the amount of existing bonds upon which such company is surety, stating what portion thereof is secured by the deposit with such company of collateral security, the amount of premium thereon, and the amount of liabilities, specifying therein the amount of outstanding claims adjusted or unadjusted, due or not due; and thereupon said commissioner may grant a license, authorizing said company to transact surety business in this state subject to its laws, until the first day of July next following, and such license may be renewed annually thereafter.

Annual statement
to be deposited
with commis-
sioner.

SECT. 7. Every such company shall, in the month of January, annually, also deposit with the said insurance commissioner a similar statement of its capital, assets and liabilities, and the investments and risks as aforesaid, to be made up to the thirty-first day of December next preceding, signed and sworn to as above directed, and the insurance commissioner, in his annual report, shall publish an abstract thereof.

No person shall
act as agent unless
capital of Co.
amounts to
\$250,000.

SECT. 8. No person shall act as agent as aforesaid for any such surety company in this state, unless the capital stock of the company which he represents amounts to the sum of two hundred and fifty thousand dollars actually paid in, in money and invested, exclusive of any obligations of the stockholders of any description.

—nor until all
requirements of
law have been
complied with.

SECT. 9. No person shall act as agent of any such surety company until such company and such agent shall have complied with all the requirements of the laws of this state, relating to such companies and their agents, and every person acting without such compliance shall be fined one hundred dollars.

—penalty.

If annual returns
are obscure or
defective, com'r
may require
answers under
oath.

SECT. 10. The insurance commissioner shall annually examine the statements and returns required to be made by the companies as aforesaid, and if in his opinion any return shall be obscure, defective or unsatisfactory, he shall immediately require answers under oath from the officer or officers by

whom such obscure, defective or unsatisfactory return shall have been made, to such interrogatories as he may deem necessary or proper in order to explain such return and exhibit a full and accurate view of the business and resources of the company.

SECT. 11. Every company, the officers of which shall refuse or neglect to answer such interrogatories for the space of thirty days, may be suspended from transacting business in this state until satisfactory answers are made by them.

—penalty for refusing to answer.

SECT. 12. The insurance commissioner, either personally, or by a committee appointed by him, consisting of one or more persons not directors, officers or agents of any surety company doing business in this state, may at any time examine into the affairs of such surety companies. The officers or agents of such companies shall exhibit their books to said commissioner or committee, and otherwise facilitate such examination, and the commissioner or committee may examine, under oath, the officers and agents of such companies in relation to their affairs; and said commissioner shall, if he deems it necessary or proper, publish the result of such investigation in one or more newspapers published in the state. Whenever it shall appear to the said commissioner, from the statement or from an examination of the affairs of any surety company, not incorporated under the authority of this state, that such company is insolvent, or is conducting its business fraudulently, or refuses or neglects to comply with the laws of the state, relating to surety companies, it shall be the duty of said commissioner to revoke the license issued to such company and its agents, and he shall cause a notice thereof to be published in one or more newspapers published in this state, and the agent or agents of such company, after such notice, shall transact no further business in this state. All the expenses of an examination made under the provisions of this section shall be paid to the commissioner by the company examined.

Affairs may be examined into, any time.

Commissioner may publish result.

—may revoke license.

—expenses of examination, how paid.

SECT. 13. The insurance commissioner shall report to the attorney general the violation of any provision of this act, which shall come to his knowledge, and the attorney general shall institute proper legal proceedings in the name of the state, against any person or company violating any such provision.

—report violations to attorney general, who shall institute proceedings.

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License fees,
how paid.

Taxes, rate of.

—how assessed
and paid.

SECT. 14. Every surety company, not incorporated in this state, applying for admission to transact business therein, shall pay to the insurance commissioner, for the use of the state, upon filing a copy of its charter or deed of settlement and statement preliminary to admission, a license fee of twenty dollars and a like sum annually for each renewal of said license, and for filing each annual statement after admission, the sum of twenty dollars, and for each agent's certificate, annually, the sum of one dollar. Said companies shall also pay on or before the first day of May, annually, a tax of two per cent upon all premiums received in excess over losses actually paid during the year, on contracts made in the state and over rebates on premiums allowed to persons guaranteed. Said tax to be assessed and paid in accordance with the provisions of section sixty-one of chapter six of the revised statutes.

Approved February 27, 1885.

Chapter 285.

An Act to amend section forty-seven of chapter seventy-seven of the Revised Statutes, in relation to the time of holding the September term of the Supreme Judicial Court, Somerset County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 47, ch. 77,
R. S., amended.

SECT. 1. Section forty-seven of chapter seventy-seven of the revised statutes, is hereby amended, commencing at the fourth line from the bottom, on page six hundred and thirty-six, so that that part of said section, relating to the time of holding the terms of the supreme judicial court in and for the county of Somerset, shall read as follows, to wit: 'Somerset, at Skowhegan, on the first Tuesday of September and the third Tuesdays of March and December.'

Somerset.

Matters return-
able on third
Tuesday of Sept.
to have day,
first Tuesday.

SECT. 2. All matters pending in, or returnable to said court and which would, but for the provisions of this act, have day at the term of said court, to be held on the third Tuesday of September of the present year, as provided by law, shall be returnable to, and have day at the term of said court to be held on the first Tuesday of September next.

Inconsistent acts
repealed.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect when approved.

Approved February 27, 1885.

Chapter 286.

An Act to establish a State Board of Health.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. A state board of health is hereby established, consisting of seven members, as follows: six members who shall be appointed by the governor, with the advice and consent of the council, and a secretary, as hereinafter provided. The terms of office of the six first appointed by the governor shall be so arranged that the term of one shall expire on the thirty-first day of January of each year for six years, and each vacancy so created shall be filled for a term of six years. If any vacancy among these members shall occur otherwise, a new member shall be appointed for the unexpired term by the governor, with the advice and consent of the council. At their first meeting, or as soon as a competent and suitable person can be obtained, the members appointed by the governor shall elect a secretary, who shall, by virtue of such election, become a member of the board, and its executive officer. The board may elect one of their own number secretary, in which case his term of office as a member by appointment of the governor shall expire, and the governor, with the advice and consent of the council, shall appoint another member to complete the full number of the board.

State board of health established.

—members of, how appointed.

—tenure.

—vacancies, how filled.

—secretary, how appointed.

SECT. 2. The state board of health shall have the general supervision of the interests of health and life of the citizens of the state. They shall study the vital statistics of the state, and endeavor to make intelligent and profitable use of the collected records of deaths and of sickness among the people; they shall make sanitary investigations and inquiries respecting the causes of disease and especially of communicable diseases and epidemics, the causes of mortality, and the effects of localities, employments, conditions, ingesta, habits, and circumstances on the health of the people; they shall investigate the causes of disease occurring among the stock and domestic animals in the state, and the methods of remedying the same; they shall gather such information in respect to all these matters as they may deem proper for diffusion among the people; they shall, when required or when they shall deem it best, advise officers of the government, or

—duties of board.

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other boards within the state, in regard to the location, drainage, water supply, disposal of excreta, heating and ventilation of any public institution or building; they shall from time to time examine and report upon works on the subject of hygiene for the use of the schools of the state; they shall have general oversight and direction of the enforcement of the statutes respecting the preservation of health; and they shall, in the month of January, make report to the legislature of their doings, investigations, and discoveries during the year ending on the thirty-first day of December, with such suggestions as to legislative action as they may deem necessary.

—report.

—meetings of.

—quorum.

—president, how
chosen.

SECT. 3. The board shall meet quarterly at the state capital, and at such other places and times as they may deem expedient. A majority shall be a quorum for the transaction of business. They shall choose annually one of their number to be their president, and may adopt rules and by-laws subject to the provisions of this act. They shall have authority to send the secretary, or a committee of the board, to any part of the state, when deemed necessary to conduct an investigation within the scope of their prescribed work.

Tenure of secre-
tary.

—duties of

SECT. 4. The secretary shall hold his office as long as he shall faithfully discharge the duties thereof, but may be removed for just cause at a regular meeting of the board, a majority of the members voting therefor. He shall keep his office at the state capital, and shall perform the duties prescribed by this act, or required by the board. He shall keep a record of the transactions of the board; shall have the custody of all books, papers, documents, and other property belonging to the board, which may be deposited in his office; shall, as far as practicable, communicate with other state boards of health, and with the local health committees within this state; shall keep and file all reports received from such committees and all correspondence of the office appertaining to the business of the board. He shall, as far as possible, aid in obtaining contributions to the library and museum of the board. He shall prepare blank forms of returns, and such instructions as may be necessary, and forward them to the clerks of the several health committees throughout the state. He shall collect information concerning vital statistics, knowledge respecting diseases, and all useful information on

the subject of hygiene, and, through an annual report, and otherwise, as the board may direct, shall disseminate such information among the people.

SECT. 5. The secretary shall receive an annual salary which shall be fixed by the state board of health. The board shall quarterly certify the amount due him, and on presentation of said certificate the governor shall draw his warrant on the state treasurer for the amount. The members of the board shall receive no compensation for their services, but their traveling and other necessary expenses while employed on the business of the board shall be allowed and paid.

—salary of.

Expenses of members allowed.

SECT. 6. The sum of three thousand dollars per annum, or as much thereof as may be deemed necessary by the state board of health, is hereby appropriated to pay the salary of the secretary, meet the contingent expenses of the office of the secretary, and the expenses of the board, which shall not exceed the sum hereby appropriated. Said expenses shall be certified and paid in the same manner as the salary of the secretary.

Annual appropriation for.

SECT. 7. It shall be the duty of the health committee in each town and city in the state, at least once in each year, to report to the state board of health its proceedings, and such other facts required, on blanks and in accordance with instructions received from said state board. It shall also make special reports whenever required to do so by the state board of health.

Health committees of towns and cities to report to board.

SECT. 8. In order to afford to this board, better advantages for obtaining knowledge important to be incorporated with that collected through special investigations and from other sources, it shall be the duty of all officers of the state, the physicians of all incorporated companies, and the president or agent of any company chartered, organized, or transacting business under the laws of this state, as far as is practicable, to furnish to the state board of health any information bearing upon public health which may be requested by said board for the purpose of enabling it better to perform its duties of collecting and distributing useful knowledge on this subject.

Certain officers and others required to furnish information to.

SECT. 9. The secretary of the state board of health shall be the superintendent of vital statistics. Under the general direction of the secretary of state he shall collect these

Secretary shall be superintendent of statistics.

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statistics, and prepare and publish the report required by law relating to births, marriages and deaths.

Secretary of state
to provide room
for meetings of
board.

SECT. 10. The secretary of state shall provide a suitable room for the meetings of the board at the state capital, and office-room for its secretary.

SECT. 11. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 287.

An Act to restore and increase the salary of the County Attorney of the County of Piscataquis.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of attorney
for Piscataquis
county, increased.

SECT. 1. The salary of the county attorney of the county of Piscataquis, from and after the first day of January, in the year eighteen hundred and eighty-five, is hereby established at the sum of two hundred and fifty dollars per annum, payable in quarterly payments, instead of the sum now allowed by law.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 288.

An Act establishing the salary of the Register of Probate for the County of Androscoggin.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of register
of probate
Androscoggin
county, estab-
lished.

SECT. 1. The register of probate for the county of Androscoggin shall receive an annual salary from the treasury of said county of five hundred dollars, payable quarterly on the first days of January, April, July, and October in each year, beginning on the first day of April, eighteen hundred and eighty-five, instead of the salary now provided by law.

Inconsistent acts
repealed.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 3, 1885.

Chapter 289.

An Act to restore the salary of the County Attorney of Somerset County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. On and after January one, eighteen hundred and eighty-five, the salary of the county attorney of Somerset county shall be three hundred and fifty dollars per year, instead of the sum now established by law; and that sum shall be in full for all services performed by said county attorney for the state and county.

Salary of attorney for Somerset Co., restored.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 290.

An Act to amend section two of chapter one hundred and fifteen of the Revised Statutes and restore the salary of the County Attorney of Penobscot County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That section two of chapter one hundred and fifteen of the revised statutes be amended by striking out the word "six" in the eleventh line of said section, and inserting the word 'eight' so that said section when amended in said eleventh line shall read, 'Penobscot, eight hundred dollars.'

Sec. 2, ch. 115, R. S., amended.

SECT. 2. This act shall take effect when approved.

Salary of attorney of Penobscot County restored.

Approved March 3, 1885.

Chapter 291.

An Act providing for Choice of Park Commissioners.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Towns and cities may choose by ballot, park commissioners, to hold office one, two and three years, respectively, and after the first year choose annually a commissioner for three years in place of one whose term expires; they shall have the care and superintendence of the public parks and direct the expenditures of all moneys appropriated for the improvement of the same.

Towns and cities may choose Park Commissioners.

—duties of.

Approved March 3, 1885.

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Chapter 292.

An Act additional to chapter fifty-one of the Revised Statutes, relating to Railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Passenger trains shall not be run over any new railroad until granted certificate of safety by R. R. Commissioners.

SECT. 1. No passenger train shall be run over any new railroad, or over any railroad in process of construction, until the railroad commissioners have made an inspection of such railroad and granted a certificate of its safety for public travel.

Penalty for violation.

SECT. 2. Any person or corporation, violating the provisions of the preceding section, forfeits to the state one hundred dollars for each offense, to be recovered in an action on the case, or by complaint and indictment; and the attorney general shall institute proceedings to recover the same.

Approved March 3, 1885.

Chapter 293.

An Act to increase the salary of the County Attorney of Kennebec County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 115. R. S., amended.

SECT. 1. Section two of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out the words "four hundred and fifty" in the seventh line of said section and inserting in place thereof the words 'six hundred' so that said section when amended in said seventh line, shall read, 'Kennebec, six hundred dollars.'

Salary of attorney for Kennebec Co., increased.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 294.

An Act to establish an Agricultural Experiment Station.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Experiment Station, established.

SECT. 1. That for the purpose of protection from frauds in commercial fertilizers, and from adulterations in foods, feeds and seeds, and for the purpose of promoting agriculture

by scientific investigation and experiment, the Maine Fertilizer Control and Agricultural Experiment Station is hereby established in connection with the State College of Agriculture and Mechanic Arts.

SECT. 2. The direction and management of this station shall be committed to a board of managers, to consist of five members, namely: the professor of agriculture of the State College of Agriculture and Mechanic Arts, ex officio; the secretary of the state board of agriculture, ex officio, and three members to be appointed by the governor, whose terms of office shall be three years, except in the first appointment, one shall be designated to serve but one year, and one to serve two years.

Direction and management of, committed to a Board of managers.

—tenure.

SECT. 3. The board of managers shall be called together by the secretary of the board of agriculture, at such place in this state as he may designate, within thirty days of the approval of this act, for the purpose of transacting such business as may be required to put the station in operation; and thereafter the board of managers shall hold a meeting annually, at Augusta, on the Tuesday preceding the third Wednesday of January for the transaction of business relating to the station. Other meetings may be called, on due notice, by the president, at such times and places as will best promote the objects contemplated by this act.

—meetings of.

SECT. 4. The board of managers shall organize by the election of a president, a secretary and a treasurer who shall severally hold their offices for one year and until their successors are elected. They shall locate the station herein provided for, and shall appoint a director, who shall have the general management and oversight of the analyses, investigations and experiments necessary to carry out the purposes named in section one of this act, and shall employ competent assistants to aid in prosecuting the work of the station. It shall, whenever public interest will be promoted thereby, publish by bulletin or otherwise, the results of its investigations and experiments, and shall make an annual report of its work to the governor and council, which shall be printed and bound with the report of the secretary of the board of agriculture.

—shall elect president, secretary and treasurer

—locate station and appoint a director.

—publish results.

—report to governor and council annually.

SECT. 5. The sum of five thousand dollars, annually, is hereby appropriated to the Maine Fertilizer Control and Agricultural Experiment Station, and the governor and council,

Annual appropriation for.

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from time to time, shall draw their warrant on the state treasurer for such sums of money as are necessary to defray the expenses herein provided for, not exceeding in any one year the appropriation herein named, an account of which shall first be approved by the president and secretary of the board of managers.

Board shall be reimbursed for expenses.

SECT. 6. The board of managers shall receive no compensation for time and services rendered, but shall be reimbursed for actual expenses incurred in the performance of their duties.

Fertilisers kept for sale, exceeding in price ten dollars per ton, to be labeled to show weight of package, trade mark and analysis.

SECT. 7. Any manufacturer, company, or person who shall offer, sell, or expose for sale in this state, any commercial fertilizer, the price of which exceeds ten dollars per ton, shall affix to every package, in a conspicuous place on the outside thereof, a plainly printed certificate, stating the number of net pounds in the package sold or offered for sale, the name or trade mark under which the article is sold, the name of the manufacturer, and the place of manufacture, and a chemical analysis stating the percentage of nitrogen, or its equivalent in ammonia, in available form, of potash soluble in water, and of phosphoric acid in available form, soluble or reverted, as well as the total phosphoric acid.

Manufacturer or persons selling, to be licensed.

SECT. 8. The manufacturer, company, or person selling or offering for sale in this state any commercial fertilizers exceeding ten dollars per ton in price shall, on or before the first day of April annually, or before offering the same for sale, procure a license from the board of managers, authorizing the sale of said fertilizers in the state, and shall pay for the same the sum of fifty dollars for a single brand, and fifteen dollars for each additional brand offered for sale; and shall furnish the secretary of the board of managers, at the time of their appointment, the names of all agents authorized by him to sell the same in this state.

—license fee.

—additional fee for each brand.

—to furnish list of agents.

Act not to apply to porgy chum, etc.

SECT. 9. This act shall not apply to the article known as porgy chum, or fish scrap or fish waste of any kind, or bone, when offered for sale unmixed with other fertilizing material; nor shall it apply to parties manufacturing fertilizers in quantities less than twenty-five tons per year, or to fertilizers in possession of dealers or agents at the time of approval of this act.

SECT. 10. The director of the station, or any person by him deputized, is hereby empowered to select from three different parcels or packages, of commercial fertilizers, taken from three different sections of the state, held or offered for sale in this state, quantities not exceeding two pounds from each package, which quantities shall be for analysis, the average of the several analyses shall be taken to compare with the certificate found on the given packages, held or offered for sale; and he shall select each year, at least three samples, as aforesaid, from each brand held for sale, and shall secure these analyses at the station. The agent shall select these samples, in the presence of some representative of the company, from which the quantities are so selected, and shall deliver one-half of said samples, properly sealed by him, to said representative.

Analysis, how regulated.

SECT. 11. The secretary of the board of managers shall register in a suitable book kept in his office, a list of all licenses issued, and of fees received therefor, and a list of all brands of fertilizers sampled; and all license fees received by the board of managers shall be paid into the treasury of the state.

Secretary to keep list of licenses and fees, etc.

—fees, how disposed of.

SECT. 12. Any person or party, who shall offer or expose for sale any commercial fertilizer, without complying with the requirements of sections seven and eight of this act, or shall permit an analysis to be attached to any package of such fertilizer, stating that it contains a larger percentage of any one or more of the constituents named in section seven of this act than it really does contain, shall be fined not less than one hundred dollars nor more than three hundred dollars for the first offense, and not less than two hundred dollars nor more than five hundred dollars for each subsequent offense; and the offender shall, in all cases, also, be liable for damages sustained by the purchasers of said fertilizers, *provided, however*, that a deficiency of one per cent of nitrogen, potash, or phosphoric acid claimed to be contained shall not be considered as evidence of fraudulent intent.

Penalty for violation of sections 7 and 8.

SECT. 13. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

SECT. 14. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 295.

An Act to amend section seventy-three of chapter forty-nine of the Revised Statutes, relating to Licensing Insurance Agents.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec 73, ch. 49,
amended.

Section seventy-three of chapter forty-nine of the revised statutes is amended by striking out the words "he has" in the second line and inserting instead thereof the words 'there has been ;' also by inserting after the word "act" in the third line 'or a certificate from the company setting forth that such person has been duly appointed and authorized as agent thereof,' also by inserting after the word "power" in the fourth line of said section, the words 'or certificate,' so that said section, as amended, shall read as follows :

No one shall act
as agent of an
insurance com-
pany, without
filing a duplicate
power of attor-
ney with the com-
missioner and
receiving a
license.

'SECT. 73. No person shall act as agent of an insurance company until there has been filed with the commissioner a duplicate power of attorney from the company, or its authorized agent, empowering him to act, or a certificate from the company setting forth that such person has been duly appointed and authorized as agent thereof. Upon filing such power or certificate the commissioner shall issue a license to him, if the company is a domestic company or has received a license to do an insurance business in this state ; and such license shall continue until the first day of the next July, and may be renewed from year to year on producing a certificate from the company that his agency is continued. For each such license or renewal, the commissioner shall receive one dollar. And if any person solicits, receives, or forwards any risk or application for insurance to any company, without first receiving such license, or fraudulently assumes to be an agent, and thus procures risks and receives money for premiums, he forfeits not more than fifty dollars for each offence ; but any policy issued on such application, binds the company, if otherwise valid.'

—fees of com-
missioner.

—penalty for
acting without
license.

—policy issued
without licence,
valid.

Approved March 3, 1885,

Chapter 296.

An Act to amend chapter one hundred and thirty-nine of the Revised Statutes relating to Coroners' Inquests.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter one hundred and thirty-nine, of the revised statutes is hereby amended by adding thereto, the following section :

Ch. 139, R. S., amended.

'SECT. 13. The evidence of all the witnesses taken at any inquest shall, within ten days after the delivery of the verdict to the coroner, be filed by the coroner with the clerk of courts for the county in which said inquest is held, and there remain open for public inspection.'

All the evidence taken shall be filed with the clerk of courts.

Approved March 3, 1885.

Chapter 297.

An Act to amend chapter one hundred and twenty-eight of the Revised Statutes, relating to the sale of Unwholesome Food.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section three of chapter one hundred and twenty-eight of the revised statutes is hereby amended by inserting after the word "agent" in the first line thereof the word 'manufactures,' and by striking out all after the word "cream" in the fifth line thereof, and substituting therefor the following, namely : 'whether said article, substance or compound be named oleomargarine, butterine, or otherwise named, forfeits for the first offence one hundred dollars, and for the second and each subsequent offence two hundred dollars, to be recovered by indictment with costs. And it shall be the duty of every inspector of milk, sheriff, deputy sheriff and constable, as named in section five of this chapter to institute complaint against any person or persons violating the above named provisions of said third section,' so that said section, as amended, shall read as follows :

Sec. 3, ch. 128, R. S., amended.

'SECT. 3. Whoever, by himself or his agent, manufactures, sells, exposes for sale, or has in his possession with intent to sell, any article, substance or compound made in

Penalty for manufacturing, selling, etc., adulterated butter or cheese.

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Duty of officers
to make com-
plaints.

Sec. 4, ch. 128.
R. S., repealed.

imitation of butter or cheese, or as a substitute for butter or cheese, and not made exclusively and wholly of cream or milk, or containing any fats, oils or grease not produced from milk or cream, whether said article, substance or compound be named oleomargarine, butterine, or otherwise named, forfeits for the first offence one hundred dollars, and for the second and each subsequent offence two hundred dollars, to be recovered by indictment with costs. And it shall be the duty of every inspector of milk, sheriff, deputy sheriff and constable, as named in section five of this chapter, to institute complaint against any person or persons violating the above named provisions of said third section.'

SECT. 2. Section four of chapter one hundred and twenty-eight of the revised statutes is hereby repealed.

Approved March 3, 1885.

Chapter 298.

An Act to amend section fifty-four of chapter seventy of the Revised Statutes relating to secreting property with intent to Defraud Creditors.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 54, ch. 70.
R. S., amended.

Penalty for dis-
posal of property
to defraud
creditors.

Section fifty-four of chapter seventy of the revised statutes is hereby amended so as to read as follows :

'SECT. 54. If a debtor, after the filing of a petition, by or against him, or within four months before, sells, removes, secretes or conceals any property, money or effects belonging to his estate, or any books, papers, documents or writings relating thereto, or in any manner disposes of any part of his estate, with a view to defraud his creditors, and evade the provisions of the insolvent law, or to prevent the same from coming to the hands of his assignee, except such as may reasonably be expended for the support of himself and family, not exceeding the amount specified in the preceding section, he shall be punished by imprisonment in jail not more than one year, or by fine of not more than five hundred dollars.'

Approved March 3, 1885.

INDUSTRIAL SCHOOL FOR GIRLS—ELECTIONS

Chapter 299.

An Act additional relating to the Maine Industrial School for Girls.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

All precepts issued pursuant to section nineteen of chapter one hundred and forty-two of the revised statutes may be executed by any officer who may execute civil process ; and the fees of judges, justices and officers shall be the same as for similar services in civil cases. Section twenty-six of said chapter shall not be held to apply to precepts issued pursuant to section nineteen, saving cases already commenced. In case of appeal, in lieu of the recognizance now required by law, the justice or judge shall require the recognizance, in a reasonable sum, of some responsible and proper person for the custody, care and nurture of the girl, pending the appeal, and for her appearance to abide the final order of the appellate court, and in default thereof, may commit her to said industrial school until final disposition of the appeal. In such cases, no fees shall be required of the appellant for recognizance or copies of papers. Fees not otherwise provided for, shall be audited by the county commissioners and paid from the county treasury.

Precepts, how to be executed and fees of officer.

Section 26 not to apply to precepts issued under sec. 19.

Recognizance in case of appeal, how taken.

Appellant not required to pay fees.

Approved March 3, 1885.

Chapter 300.

An Act to amend sections twenty-five and twenty-seven of chapter four of the Revised Statutes, relating to Elections.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section twenty-five of chapter four of the revised statutes, is hereby amended, so as to read as follows :

Sec. 25, ch. 4, R. S., amended.

SECT. 25. The officers presiding at any election shall use the check list herein required at the polls during the election of any such officers, and use but one ballot box, to be furnished at the expense of the town ; and no votes shall be received unless delivered by the voter in person after he has audibly announced his name to the presiding officers, unless physically unable to do so, and they have had opportunity to

Check list required.

—rules prescribed.

—votes, how received.



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Separate ballot box shall be provided, when constitutional amendment is submitted.

be satisfied of his identity and find his name on the list and mark it, and ascertain that his vote is single; but whenever a constitutional amendment is submitted to the people for adoption, a separate ballot box shall be provided at every poll or voting place into which the ballots or votes for or against such proposed amendment shall be deposited separately from all other ballots or votes, and into which each voter desiring to vote upon the amendment submitted, must deposit his ballot at the same time he deposits his ballot for officers to be chosen on that day, if any, and he desires to vote therefor.'

Sec. 27, amended.

SECT. 2. Section twenty-seven of chapter four is amended so as to read as follows:

Ballot boxes, how constructed and used.

'SECT. 27. Ballot boxes used at elections shall be covered at the top with a slide only, which shall be kept shut, except when opened to receive a ballot; but such boxes may contain mechanical devices which tend to prevent fraud in elections and do not materially abridge the rights of voters; and if the presiding officers do not comply with the requirements of this chapter, or attempt to evade the same, they shall be subject to the penalties provided in section fifty-nine.'

Penalty if requirements of this act are not complied with.

Approved March 3, 1885.

Chapter 301.

An Act to authorize Railroads to aid in the construction or equipment of Branch and Connecting Lines.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows;

Railroad corporations may aid branch or connecting roads.

Any railroad corporation, wholly organized under the laws of this state, at any time when it has paid dividends for the preceding three years, may, by vote of its directors, authorized or confirmed by a two-thirds vote of its stockholders, at a meeting notified for the purpose, aid in the construction or equipment of a branch of its railroad, or in the construction or equipment of a connecting railroad, and may own and hold the securities or stock of such branch or of such connecting railroad; and the parties may make such leases or mortgages as they deem necessary to secure their respective interests.

Approved March 3, 1885.

Chapter 302.

An Act to amend section thirty-seven of chapter fourteen of the Revised Statutes, relating to Contagious Diseases among Cattle.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section thirty-seven of chapter fourteen of the revised statutes, is hereby amended by inserting after the word "cattle" in the first and ninth lines of said section, the words 'swine and sheep,' so that said section as amended, shall read as follows :

Sec. 37, ch. 14.
R. S., amended.

'SECT. 37. The municipal officers of towns, shall cause all cattle, swine and sheep therein infected with lung-murraïn or pleuro-pneumonia, or any other contagious disease, or which have been exposed to infection, to be secured or collected in some suitable place or places therein, and kept isolated ; and when taken from the possession of their owners, one-fifth of the expense thereof shall be paid by the town, and four-fifths by the state, such isolation to continue so long as the existence of such disease or other circumstances render it necessary ; or they may direct the owners thereof to isolate such cattle, swine and sheep, upon their own premises, and any damage or loss sustained thereby shall be paid as aforesaid.'

Cattle infected by contagious diseases to be isolated by town officers.

—their maintenance.

—when owners must isolate their cattle.

—damage or loss, how paid.

Approved March 4, 1885.

Chapter 303.

An Act to amend section twenty-one of chapter thirty of the Revised Statutes, relating to Game Birds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-one of chapter thirty of the revised statutes is hereby amended by adding after the word "November" in the twelfth line, the words, 'or plover, during the months of August, September, October or November,' so that said section, as amended, shall read as follows :

Sec. 21, ch. 30,
R. S., amended.

'SECT. 21. Whoever kills or has in his possession, except alive, or exposes for sale, any wood duck, dusky duck, commonly called black duck, or other sea duck, between the

Certain birds not to be killed between May 1 and Sept. 1.

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—others, between
Dec. 1 and Sept.
1, and between
Jan. 1 and Sept.
1 and May 1 and
Aug. 1.

—woodcock,
partridge and
plover.

first days of May and September; or kills, sells, or has in possession, except alive, any ruffed grouse, commonly called partridge, or woodcock, between the first days of December and September following; or kills, sells or has in possession, except alive, any quail or pinnated grouse, commonly called prairie chicken, between the first days of January and September, or plover between the first days of May and August, forfeits not less than five nor more than ten dollars for each bird so killed, had in possession, or exposed for sale. And no person shall kill, expose for sale, or have in possession, except alive, any woodcock, or ruffed grouse, or partridge during September, October or November, or plover during the months of August, September, October or November, except for consumption as food within the state, under the same penalty.'

Approved March 4, 1885.

Chapter 304.

An Act to amend section fourteen of chapter seven, of the Revised Statutes relating to the Records and Indexes in the registries of deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 14, ch. 7.
R. S., amended.

Linen paper for
records.

—alphabet.

—ledger indexes
required.

—penalty.

Section fourteen of chapter seven of the revised statutes is hereby amended, so as to read as follows:

'SECT. 14. The records in each registry office shall be made on paper of a firm texture, well sized and finished, the principal ingredient of which is linen. The registers shall make an alphabet to each volume of records without charge to the county. County commissioners shall make all additional volumes of index for registries of deeds, in the form known as the ledger index, so that the same surnames shall be recorded together in each volume of index, and shall change all volumes of index, in the several registries of deeds, to said form, by March ten, eighteen hundred and eighty-six; and for failure to make such change, said commissioners shall individually be liable to a penalty of ten dollars for every month's delay after the said tenth day of March; such penalty to be recovered in an action of debt to the use of the first person suing

therefor. *Provided, however,* that the county commissioners of the county of York are not obliged to change such indexes for any volume of records completed before January one, seventeen hundred and sixty, and the county commissioners of the county of Lincoln before January one, eighteen hundred and sixty.'

Approved March 4, 1885.

Chapter 305.

An Act to amend chapter eight of the Revised Statutes, relating to making and printing Reports of County Treasurers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section ten of chapter eight of the revised statutes is hereby amended by striking out in the first line, the words "the treasurer of the county of Cumberland" and inserting the words 'each treasurer.' Said section is further amended by inserting after the word "finances" the words 'including the number of weeks board and expense of clothing furnished prisoners.' So that said section shall read as follows :

Sec. 10, ch. 8,
R. S., amended.

'SECT. 10. Each treasurer shall, at the end of each year, in connection with the commissioners, make a statement of its financial condition, showing in detail all moneys received into and paid out of its treasury, and other facts and statistics necessary to exhibit the true state of its finances, including the number of weeks board and expense of clothing furnished prisoners, and shall publish in pamphlet form, a reasonable number of copies for distribution among its citizens.'

Treasurers of
each county to
make annual
statement of
financial stand-
ing.

—publish same
for distribution.

SECT. 2. Section nine of chapter eight of the revised statutes is hereby repealed.

Sec. 9 repealed.

SECT. 3. This act shall take effect when approved.

Approved March 4, 1885.

CHAP. 306**Chapter 306.**

An Act to amend section one of chapter one hundred and seven of the Revised Statutes, and provide for taking Depositions to be used before Probate Courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 107,
R. S., amended.

SECT. 1. Section one of chapter one hundred and seven be amended by inserting in the fourth line after the word "before," the words 'probate courts,' so that said section shall read as follows :

In what cases
depositions may
be used.

'SECT. 1. Depositions taken for the causes and in the manner hereinafter mentioned, may be used in all civil suits or causes, petitions for partition of land, libels for divorce, prosecutions for the maintenance of bastard children, petitions for review, and in trials before probate courts, arbitrators, referees and county commissioners ; and in cases of contested senatorial or representative elections. Depositions or affidavits may also be taken in applications for pensions, bounties, or arrears of pay under any law of the United States.'

—not apply to
depositions
already taken.

SECT. 2. This act shall not apply to depositions already taken.

Approved March 4, 1885.

Chapter 307.

An Act to amend section nineteen, chapter one hundred and thirty-four, Revised Statutes, providing for taking Depositions in Criminal Cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 19, ch. 134,
R. S., amended.

Section nineteen, chapter one hundred and thirty-four of the revised statutes is hereby amended by adding to the end of said section the following words, namely: 'And upon like application by the defendant in a criminal case, a like commission may issue to take the deposition of a material witness living in the state ; but the prosecuting officer shall not name therein any material witness to be examined on the part of the state.'

Depositions may
be taken in the
State.

Approved March 4, 1885.

Chapter 308.

An Act relating to fines and forfeitures collected by trial justices and judges of Municipal and Police Courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section seven of chapter one hundred and thirty-six of the revised statutes is hereby amended so that the first sentence thereof, including the number of said section, shall read as follows :

Sec. 7, ch 136, R. S., amended.

'SECT. 7. Every trial justice or judge of a municipal or police court shall render, under oath, an account of all fines and forfeitures upon convictions and sentences before him, and pay them over within two months after he receives the same, to the treasurer of the town if they accrue to the town, and to the treasurer of the county if they accrue to the state or county, or any corporation, person, society or association, in whole or in part, for the use of the party entitled thereto ; and for any neglect in making such payments, he forfeits in each instance double the amount so neglected to be paid over, to be recovered by indictment for the parties entitled to such fines and forfeitures, and in default of payment, according to the sentence of the court, he shall be imprisoned in jail not exceeding six months.'

Magistrates shall pay over fines to treasurer of county or town, or others entitled to same.

—penalty.

SECT. 2. Every trial justice or judge of a municipal or police court hereafter to be appointed, before he performs any official act as such justice or judge, pertaining to any criminal process or proceeding, shall give bond to the county in such sum and with such sureties as the county commissioners of said county shall approve, conditioned that he will, during his continuance in office, faithfully perform, as the law requires, all his duties relating to the collection and payment over of all fines and forfeitures which may come into his hands by virtue of his office. Such bond shall be held by the county treasurer and enforced for the security of any and all parties entitled to such fines and forfeitures, and a suit on such bond for the benefit of one party shall not bar a suit thereon for the benefit of any other party. Every such justice or judge who shall perform any such official acts before giving such bond, forfeits not exceeding one hundred dollars, to be recovered by indictment, but a failure to give such bond shall not render invalid such official acts.

Magistrates shall give bond for faithful performance of duties.

—by whom held and enforced

—penalty.

SECT. 3. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 309.

An Act to amend section twenty-three of chapter fifty-two of the Revised Statutes, relating to certificates of inspection of Steamboats, and inspectors' fees for Pilots.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 23, ch. 52,
R. S., amended.

Section twenty-three of chapter fifty-two of the revised statutes, is hereby amended so as to read as follows :

Compensation of
inspectors.

'SECT. 23. The inspectors shall each receive from the state, the sum of four dollars per day for the time they are actually employed under this act, and shall also be paid their actual traveling expenses incurred in performing the duties imposed upon them by this act. The owners of each vessel

—fees for inspection
and license.

inspected and certified under this act, shall pay to the inspectors the sum of five dollars, and each person licensed under this act, shall pay to the inspectors the sum of two dollars for each original license, and two dollars for each renewal of the same; *provided*, that in the case of vessels of less than five tons of measurement, the owners of each vessel inspected and certified under this act, shall pay to the inspectors the sum of five dollars, and two dollars for each renewal of the same, and each person licensed under this act, shall pay to the inspectors the sum of fifty cents for each original license, and fifty cents for each renewal of the same; *provided, also*, that in cases where the master is also pilot of the vessel he shall not be required to hold two licenses, but may act in either or both capacities under one license, such license stating on its face that he is authorized to do so. The inspectors shall account for all such sums to the governor and council, and pay the same into the state treasury. The accounts of the inspectors for compensation and expenses under this act, shall be audited by the governor and council.'

—proviso.

—inspectors to
account for
money received.

—accounts to be
audited by gov-
ernor and council.

Approved March 4, 1885.

Chapter 310.

An Act to amend section twenty-seven of chapter eighteen of the Revised Statutes, relating to laying out ways across Railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-seven of chapter eighteen of the revised statutes is hereby amended by inserting after the word "application," in the third line of said section, the words 'of the municipal officers of the city or town wherein such crossing is situated, or'; and also by striking out the word "way" in the twelfth line of said section, and inserting instead thereof the word 'crossing'; and also by striking out all between the word "parties" in the fifteenth line, and the word "costs," in the twenty-ninth line of said section, and inserting instead thereof, the following words: 'said commissioners shall make a report, in writing, of their decision thereupon to the supreme judicial court at its next succeeding term to be held in the county wherein such crossing is situated, and shall also make a report of such rulings, proofs and proceedings as either party desires, or as they deem necessary for a full understanding of the case. The presiding justice, at such term of court, may accept, reject, or recommit said report, or send the case to a new commission, or make such other order or decree as law or justice may require, and to his ruling or order either party may file exceptions. The final adjudication, in such cases shall be recorded as provided in section thirty of this chapter'; so that said section, as amended, shall read as follows :

Sec. 27, ch 18,
amended.

'SECT. 27. Town ways and highways may be laid out across, over or under any railroad track, in the same manner as other town ways and highways, except that the railroad commissioners, on application of the municipal officers of the city or town wherein such crossing is situated, or of parties owning or operating the railroad, shall upon notice and hearing, determine the manner and conditions of crossing the same; and when such way crosses such track at grade, the expense of building and maintaining so much of such way as is within the limits of such railroad shall be borne by the railroad company whose track is so crossed; and when such way is laid out under or over such track and

Ways crossing
railroad tracks,
how laid out.

—manner and
conditions of
crossing, to be
determined by R.
R. commissioners.

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—when not at grade, expense adjusted by R. R. commissioners.

—commissioners to report to S. J. court.

—presiding justice may accept, reject or recommit report, or send case to new commission, etc.

—either party may file exceptions.

—costs.

not at grade, the expense of building and maintaining so much thereof as is within the limits of such railroad shall be borne by such company or by the city or town in which such crossing is located, or shall be apportioned between such company and such city or town as may be determined by the railroad commissioners upon petition and after notice and hearing of the parties. Said commissioners shall make a report in writing of their decision thereupon to the supreme judicial court at its next succeeding term to be held in the county wherein such crossing is situated, and shall also make a report of such rulings, proofs and proceedings as either party desires or as they deem necessary for a full understanding of the case. The presiding justice at such term of court may accept, reject, or recommit said report, or send the case to a new commission, or make such other order or decree as law or justice may require, and to his ruling or order either party may file exceptions. The final adjudication in such cases shall be recorded as provided in section thirty of this chapter. Costs may be taxed and allowed to either party at the discretion of the court.'

Approved March 4, 1885.

Chapter 311.

An Act to amend section fourteen of chapter fifteen of the Revised Statutes, relative to Private Burying Grounds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 14, ch. 15, R. S., amended.

Section fourteen of chapter fifteen of the revised statutes is hereby amended by adding after word "company," in the first and ninth lines, the words 'or trustee,' so that said section, as amended, shall read as follows :

Towns and cemetery corporations may accept title to lands for private burying grounds.

—lot and fixtures exempt from liability for debt.

'SECT. 14. Any city, town, cemetery corporation, trust company or trustee may accept any conveyance of land not exceeding half an acre, to be forever held, kept and used for a private or family burying ground, for the grantors and such of their relatives, by blood or marriage, as the conveyance shall designate. Such lot and all erections thereon, including the erection and maintenance of the same, and fixtures

thereto suitable for its use or adornment as a burying ground, are forever inalienable and indivisible, and exempt from liability for debt. Such city, town, corporation or trustee may also accept and forever hold any donation or legacy for insuring proper care and attention to any burial lot or ground, and the avenues thereof and monuments thereon. Having accepted such donation or legacy, said trustee becomes bound to perform the duties appertaining to the trust, as specified in writing creating the same, or in default of such specification, as required by law, and as in cases of public charity.'

—may hold funds
in trust for
repair of
grounds.

Approved March 4, 1885.

Chapter 312.

An Act to amend section twenty-eight of chapter fifty-one of the Revised Statutes, relating to Railroad Crossings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-eight of chapter fifty-one of the revised statutes, is hereby amended by inserting after the word "highways," in the first line thereof, the words 'or town-ways;' and also by striking out all between the word "determined," in the third line thereof, and the word "no," in the eleventh line thereof, and inserting instead of the words thus stricken out, the words 'as provided by section twenty-seven of chapter eighteen of the revised statutes;' so that said section, as amended, shall read as follows :

Sec. 28, ch. 51,
R. S., amended.

'SECT. 28. Railroads may cross highways or town-ways in the line of the railroad; but cannot pass along them without leave of the town. The conditions and manner of crossing shall be first determined, as provided by section twenty-seven of chapter eighteen of the revised statutes. No crossing of a street in a city not a highway, shall be made without the written consent of the mayor and aldermen, stating the manner and conditions thereof, to be recorded in the records of the commissioners. Crossings not so made, are nuisances and may be so treated, and the directors making them are personally liable.'

Crossings of high-
ways and streets,
how made.

Approved March 4, 1885.

CHAP. 313

Chapter 313.

An Act to amend section one of chapter one hundred and thirty-two of the Revised Statutes, relating to the Salaries of Municipal and Police Court Judges.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 132,
R. S., amended.

Section one of chapter one hundred and thirty-two of the revised statutes, is hereby amended by inserting after the word "thereof," in the fourth line, the words 'and shall not be diminished during their continuance in office' ; so that said section, as amended, shall read as follows :

Appointment of
municipal and
police judges.

—salaries, how
fixed and paid.

—not to be
diminished dur-
ing their contin-
uance in office.

—all fees to be
paid over.

'SECT. 1. Judges of municipal and police courts shall be appointed and shall hold their offices as provided in the constitution. Their salaries, unless established by law, shall be fixed by the municipal officers of their towns, and paid quarterly from the treasuries thereof, and shall not be diminished during their continuance in office; and all fees received by them shall be paid quarterly into said treasuries, except when their compensation is fixed by law, by the allowance to them in whole or in part, of the fees accruing in their courts. All fees of such courts paid to the jailer after commitment, shall be paid over by him, quarterly, into said treasuries.'

Approved March 4, 1886.

Chapter 314.

An Act to revive section one of chapter seven, Public Laws of eighteen hundred and seventy-five, relative to the citizenship of persons connected with the Soldiers' Home at Togus.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Inmates of
national home at
Togus, residence
of, to establish

SECT. 1. All persons who now are, or may hereafter become inmates of the National Home for disabled volunteer soldiers at Togus, in the county of Kennebec, or subject to the rules and regulations thereof, or shall receive rations therefrom, shall be deemed citizens of the respective towns in which they had a legal residence when their connection with said National Home commenced, so long as such connection shall continue therewith.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 315.

An Act to amend section thirty-one of chapter forty-six of the Revised Statutes, relating to Clerks' and Treasurers' Reports

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section thirty-one of chapter forty-six of the revised statutes is amended by striking out the word "by" in the first line, and inserting in place thereof the words 'between the first day of November;' and inserting after the words "paid in," in the fourth line, the words 'on said first day of November,' so that said section, as amended, will read as follows :

Sec. 31, ch. 46,
R. S., amended.

SECT. 31. Such cashiers and clerks or treasurers shall, between the first day of November and the eighth day of December, annually, make return to the secretary of state, of the names of all stockholders, their residences, the amount of stock owned by each, and the whole amount of stock paid in, on said first day of November. The secretary shall lay the same before the legislature, within the first thirty days of the session.'

Officers to return
lists of stock-
holders to Secre-
tary of State
between Nov. 1
and Dec. 8.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 316.

An Act to provide for Inventories by Assignees in Insolvency.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The judge may, at any time, direct the assignee to make and return upon oath into the court of insolvency, a true inventory of all the property of the debtor, real and personal, which the assignment vests in such assignee, and which has come to his possession or knowledge; and the estate comprised in such inventory, shall be appraised in the same manner that the estates of deceased persons are required by law to be appraised. Such inventory and appraisement shall be made and returned at such time as the judge may direct.

Inventory and
appraisement of
insolvent estates,
to provide for.

—return of.

Approved March 4, 1885.

Chapter 317.

An Act requiring notice of application for Probate of Wills.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

When a will is presented for probate, judge shall give public notice for hearing thereon.

Whenever a will is presented for probate, the judge of probate, having jurisdiction thereof, shall assign a time and place for a hearing, and cause public notice thereof to be given; and in addition thereto, said judge may, at his discretion, order personal notice upon such persons as he deems necessary.

Approved March 4, 1885.

Chapter 318.

An Act to amend section fifteen, chapter one hundred thirteen of the Revised Statutes, relating to Disclosure on Mesne Process.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 15, ch. 113,
R. S., amended.

SECT. 1. Section fifteen of chapter one hundred thirteen of the revised statutes is hereby amended by inserting the words 'he may disclose as provided in section twenty-one of this chapter or,' after the word "action" in the second line of said section, so that said section, as amended, shall read as follows :

Debtor arrested,
may disclose
without bond;
when and how.

'SECT. 15. When a person is arrested or imprisoned on mesne process in a civil action, he may disclose, as provided in section twenty-one of this chapter, or he may be released, by giving bond to the plaintiff in double the sum for which he is arrested or imprisoned, with surety or sureties, approved by him or by two or three justices of the peace and quorum of the county where the arrest or imprisonment is made, selected and proceeding, as prescribed in section forty-two, conditioned that within fifteen days after rendition of judgment, or after the adjournment of the court in which it is rendered, he will notify the creditor, his agent or attorney, to attend at a certain place in the county, at a time not more than thirty nor less than fifteen days after such notice, for the purpose of disclosure and examination; that he will then and there submit himself to examination; make true disclosure of his

—may give bond
to disclose within
certain time after
judgment.

business affairs and property on oath, and abide the order of the justices thereon; and if the officer serving the writ takes such bond, he shall return it to the court or justice where the suit is pending.'

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 319.

An Act additional to chapter seventy of the Revised Statutes relating to the Discharge of Insolvent Debtors.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

The debtor shall, after the obtaining his certificate of discharge, be forever discharged and exempt from arrest or imprisonment in any suit, or upon any proceeding for or on account of any debt or demand which may have been provable against his estate, and due to any person or persons not resident in this state at the time of the first publication of the notice of the issuing of the warrant, or founded on a contract existing at the time of said first publication, and made or to be performed out of the limits of this state; but the foregoing provisions shall not apply to any debtor who has received a discharge prior to the time when this act takes effect.

Debtor forever discharged, after obtaining certificate thereof, from liability to arrest on account of debts due out of state.

—act not to apply to discharges made prior to approval of this act.

Approved March 4, 1885.

Chapter 320.

An Act to amend section twenty-one of chapter seventy of the Revised Statutes relating to Sales of Property under proceedings in Insolvency.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section twenty-one of chapter seventy of the revised statutes is hereby amended by striking out in the second line of said section, the words "after due public notice and," so that as amended, said section shall read as follows:

Sec. 21, ch. 70, R. S., amended.

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Judge may order
sale of property.

'SECT. 21. Upon application in writing, of any party interested, and notice to the debtor, the judge may order the messenger to sell, for cash, in such manner as he directs, any part of the debtor's estate; and in his own name, as messenger, to collect and receive debts due such insolvent; and such messenger shall keep a correct account of the names of the purchasers, the articles sold, and the prices received therefor, and of all debts collected by him.'

Approved March 4, 1885.

Chapter 321.

An Act to render more effective section one hundred twenty-six of chapter fifty-one of the Revised Statutes, relating to Accidents on Railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 126, ch. 61,
R. S., amended.

Section one hundred twenty-six of chapter fifty-one of the revised statutes is hereby amended so as to read as follows:

Commissioners
may examine into
cause of serious
accidents, and
include results in
annual report.

'SECT. 126. When a serious accident occurs to any train on a railroad, immediate notice thereof shall be given in writing by the officers of the company operating such railroad, to the chairman of the board of railroad commissioners, who shall, if he deems the public interest to require it, cause an investigation to be made at once by said board; and for such purpose any member of said board shall have power to send for such evidence as he believes necessary; and said commissioners shall, in their annual report, make a full statement of the cause of such accident. The expense of such investigation, including witness fees, shall be paid from the state treasury on certificate of the board of railroad commissioners. Witnesses in all cases before said board shall be allowed the same fees as in the supreme judicial court.'

—expenses of,
how paid.

Approved March 4, 1885.

Chapter 322.

An Act to increase the salary of the County Attorney of Waldo County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out the word "two" in the fifteenth line of said section, and inserting in place thereof the word 'three,' so that said section, when amended in said fifteenth line, shall read: 'Waldo, three hundred and fifty dollars.'

Sec. 2, ch. 115,
amended.

Salary of attorney,
for Waldo county
increased.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 323.

An Act to amend section sixty-five of chapter seventy of the Revised Statutes, relating to the payment of the Fees in Insolvency.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section sixty-five of chapter seventy of the revised statutes, is hereby amended by striking out all after the word "estates," in the third line of said section, and adding thereto 'and if there are not sufficient assets for the payment of the fees and costs, the person upon whose petition the warrant is issued, shall pay the same, and the court may issue an execution against him to compel payment to the register,' so that said section, as amended, shall read as follows :

S. c. 65, ch. 70,
R. S., amended.

'SECT. 65. The fees of all officers, the compensation of assignees, and of judges and registers of probate, under this chapter, shall be established by the supreme judicial court, and shall be paid out of the estates ; and if there are not sufficient assets for the payment of the fees and costs, the person upon whose petition the warrant is issued shall pay the same, and the court may issue an execution against him to compel payment to the register.'

Fees shall be
established by
Supreme court.

—how paid.

SECT. 2. This act shall not apply to pending proceedings.

—not to apply to
pending proceed-
ings.

Approved March 4, 1885.

CHAP. 324

Chapter 324.

An Act to facilitate the prompt administration of justice by establishing a Superior Court in the County of Aroostook.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Superior court for
Aroostook county
established.

SECT. 1. A superior court is hereby established within and for the county of Aroostook, consisting of one justice, who shall be an inhabitant of said county, of sobriety of manners and learned in the law ; he shall be appointed, commissioned and qualified according to the constitution.

Seal of court.
Writs and pro-
cesses, how issued,
and form.

SECT. 2. Said justice shall establish a seal for said court ; and all writs and processes issuing therefrom, shall be in the name of the state, of the usual forms, bearing the teste of said justice, under the seal of said court, and shall be signed by its clerk ; they shall be obeyed and executed throughout the state.

Clerk and his
compensation.

SECT. 3. The clerk for the time being of the supreme judicial court, in said county, shall also be clerk of said superior court, and shall receive for his services as such, the fees allowed other clerks for similar services in the supreme judicial court. He shall appoint a deputy, approved by said justice, who shall act as clerk of said superior court, whenever said court and the supreme judicial court happen both to be in session in said county ; and whenever said clerk of the supreme judicial court is absent, or the office is vacant, said justice may appoint one to supply the vacancy during such absence, or until an appointment is made by the governor and council, or by the supreme judicial court.

—shall appoint a
deputy, when.

Absence of Clerk
or vacancy in
office, how filled.

Sheriff of the
county, or a
deputy, to attend.

SECT. 4. The sheriff of the county of Aroostook shall attend said superior court, unless the supreme judicial court shall be in session in said county, in which case he shall specially designate a deputy, approved by said justice of said superior court, so to attend. And whenever it shall happen that said justice is prevented from attending at the time and place at which said court, by law or by adjournment, ought to be held, said sheriff or such deputy shall, by oral proclamation, adjourn said court from day to day, until said justice shall attend.

When the Justice
does not attend,
sheriff to adjourn
the court.

—jurisdiction.

SECT. 5. Within said county, said superior court shall have exclusive appellate jurisdiction of civil appeals from

municipal courts, police courts, and trial justices; exclusive original jurisdiction of actions of *scire facias* on judgments and recognizances not exceeding two hundred dollars; of all bastardy trials, and of all other civil actions at law not exclusively cognizable by municipal courts, police courts, and trial justices, where the damages demanded do not exceed two hundred dollars, except complaints for flowage and real actions, and concurrent original jurisdiction of proceedings in *habeas corpus*, of actions of trespass *quare clausum*, and of all other civil actions at law when the damages do not exceed five hundred dollars, except complaints for flowage and real actions.

SECT. 6. Said court shall be held on the first Tuesdays of December and May, at Caribou, and on the first Tuesdays of November and April, at Houlton. Traverse jurors shall be drawn and returned to serve at said terms, as in the supreme judicial court, except that the same jurors may be required by the justice to serve for two successive terms, and that no jurors shall be drawn or returned for the April term, eighteen hundred and eighty-five, of said court. If the plaintiff desires a jury trial, he shall indorse the same upon his writ at the time of entry. The defendant shall, within fourteen days after entry, file his pleadings, and if the plaintiff has not demanded a jury, the defendant shall endorse on his plea his demand for a jury, if he desires one. Whenever a jury shall be so demanded by either party, the clerk shall enter that fact on the docket, and all other cases, except appeals, shall be tried by the justice without the intervention of a jury, subject to exceptions in matters of law, in term time, or if both parties desire, at chambers. Whenever, by accident or mistake, the plaintiff fails to endorse upon his writ at the time of entry a request for a jury trial, or if the defendant, by accident or mistake, shall fail to endorse upon his plea when filed, a demand for a jury, the court may, on motion of either party, at its discretion, order a trial by jury in the cause. When a defendant, legally served, does not appear by himself or attorney within the first three days of the term, he shall be defaulted as in the supreme judicial court. If the defendant does not file his pleadings as hereinbefore provided, he shall be defaulted on the first day of the next term after entry, unless the court, for good cause,

Terms.

Jurors, how drawn and returned.

Proceedings if jury trial is desired by either party.

All other cases except appeals, to be tried by the justice.

Court may order trial by jury.

Defendant to be defaulted, if he does not appear.

Proceedings if defendant does not file pleadings.

CHAP. 324

Order of trial of
actions.

Appeals, how
entered.

Exceptions may
be alleged, as in
S. J. court.

—proceedings.

Cases certified
upon agreed
statement, when
and where
determined.

Exceptions may
be certified to
Chief Justice of
S. J. court.

Decisions to be
certified to the
clerk.

When a demurrer
is overruled,
defendant may
plead anew.

Actions to remain
on docket until
overruling of
exceptions would
dispose of it.

shall grant leave to file a plea, or shall otherwise lawfully dispose of the action. All actions duly answered to shall be in order for trial at the next term after entry, and shall be so tried, except for good cause. Appeals shall be entered by the appellant as in the supreme judicial court, and shall be in order for trial at the first term.

SECT. 7. Exceptions may be alleged as in the supreme judicial court, and entered, heard and determined at the law term held in the eastern district, provided that when the next law term happens to be held in either of the other districts, the justice of the superior court may, on motion of the party not excepting, certify the exceptions to said next law term, if in his opinion they are alleged mainly for delay; but the party so moving shall be deemed to waive his right to be heard in opposition to said exceptions, which shall be entered and determined at said next law term without argument by said party, and upon the oral or written argument of the party excepting. Cases certified upon agreed statements of facts, reports and motions for new trials, shall be entered, heard and determined at the next law term in the eastern district, but any case for the law court may, by agreement of parties, be entered at the next law term held in either district. And all exceptions arising in cases within the exclusive jurisdiction of said superior court, may be certified at once by said justice to the chief justice of the supreme judicial court, and shall, when so certified, be argued in writing, on both sides, within thirty days thereafter, unless the justice of said superior court shall, for good cause, enlarge the time, and exceptions so certified shall be considered and determined by the justice of the supreme judicial court, as soon as may be. Decisions of the law court, on all exceptions and questions from said superior court, shall be certified to the clerk of said superior court, with the same effect as in cases originating in the supreme judicial court in said county.

SECT. 8. When a demurrer to a declaration is overruled, the defendant, notwithstanding he excepts, may plead anew within such time as the justice orders, but in all cases where exceptions are alleged by the defendant, the action shall, notwithstanding, remain upon the docket of said superior court, and be proceeded with as if no exceptions had been taken, until the case is in such a condition that the overruling

of said exceptions would finally dispose of it. And the action shall then be transferred to the law court, or certified to the chief justice thereof, as hereinbefore provided for the hearing and determination of all exceptions arising in any stage of the case.

—transferred to law court or chief justice.

SECT. 9. The supreme judicial court sitting as a court of law for the eastern district, shall have the same jurisdiction of all questions of law, motions for new trials, and questions arising on reports or agreed statements of facts, originating in said superior court, as if they had originated in the supreme judicial court for Aroostook county; and said law court sitting in either of the other districts shall have the same jurisdiction of all questions and motions certified thereto from said superior court as hereinbefore provided. And all provisions of law and rules of the supreme judicial court relative to the transfer of actions and other matters from the supreme judicial court for said county, or from its docket to the docket of said law court, and all provisions of law and rules regulating proceedings in such cases, and the effect of such proceedings shall apply to the transfer of actions from said superior court or its docket to said law court, and to the proceedings in such cases, and the effect thereof, except so far as they may be inconsistent with the foregoing provisions of this act.

The law court for Eastern district to have jurisdiction over questions of law, &c., as over those originating in S. J. C. for Aroostook county.

Transfer of actions, &c., to law court, to be same as from S. J. C. for Aroostook county.

SECT. 10. Said superior court is hereby authorized to administer all necessary oaths, render judgment and issue execution, punish for contempt, and compel attendance, as in the supreme judicial court; to make all such rules and regulations, not repugnant to law, as may be necessary and proper for the administration of justice promptly and without delay; and the provisions of law relative to the jurisdiction of the supreme judicial court in said county over parties, the arrest of persons, attachment of property, the time and mode of service of precepts, proceedings in court, the taxation of costs, the rendition of judgments, the issuing, service and return of executions, and all other subjects, are hereby made applicable and extended to said superior court in all respects, except so far as they are modified by the provisions of this act; and said superior court is hereby clothed as fully as the supreme judicial court, with all the powers necessary for the performance of all its duties.

Authority of the court.

CHAP. 324

Final judgment
may be re-exam-
ined in S. J.
Court.

—proceedings.

Any justice of
S. J. C. author-
ized to hold court
in the absence or
sickness of
justice.

During a vacancy
in the office of
justice, writs
shall bear teste
of justice of S. J.
C.

Cases to be trans-
ferred to S. J. C.
when justice is
disqualified.

Act to take effect
March 10, 1885.

Jurisdiction of
S. J. C. in Aroos-
took county,
limited.

Appointment,
qualification and
salary of justice.

Jurisdiction over
criminal cases in
Aroostook county
transferred from
S. J. C.

SECT. 11. Final judgments in said superior court may be re-examined in the supreme judicial court on a writ of error, or on petition for review, and when the judgment is reversed, the supreme judicial court shall render such judgment as said superior court should have rendered, and when a review is granted it shall be tried in said supreme judicial court, which shall have the same power to grant writs of supersedeas of executions issued from said superior court, as it has of executions issued from the supreme judicial court.

SECT. 12. In case the justice of said superior court should, by reason of continued sickness, or other cause, be prevented from holding a term or terms of said court, any justice of the supreme judicial court may, at the request of said justice of said superior court, hold such term or terms of said superior court in place of the justice thereof. And during a vacancy in the office of said justice of said superior court, all writs issued from the office of the clerk thereof shall bear teste of any one of the justices of the supreme judicial court. Whenever the justice of said superior court shall be disqualified, by interest or other lawful cause, from trying any cause pending in said court, said case shall thereupon be transferred to the docket of the supreme judicial court for said county, and disposed of in said court according to law.

SECT. 13. This act shall take effect March ten, eighteen hundred and eighty-five, if approved on or before that time, otherwise it shall take effect when approved, and the first term of said superior court shall be held on the first Tuesday of May, eighteen hundred and eighty-five. And upon the taking effect of this act, the jurisdiction of the supreme judicial court for the trial of civil cases in said county shall be limited in conformity to the foregoing provisions; and all acts and parts of acts relating to courts and judicial proceedings shall be modified so far as to give full effect to this act, and all acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 14. The justice of said superior court may be appointed, commissioned and qualified at any time after the approval of this act, and his salary shall be fifteen hundred dollars per annum, payable quarterly.

SECT. 15. The original and appellate jurisdiction in all criminal matters now vested in, and exercised by the supreme

judicial court within and for the county of Aroostook and all powers incident thereto, shall, on and after the taking effect of this act, be transferred to and conferred upon the superior court within and for said county, which court shall thereafter exercise the same in the same manner as theretofore authorized by law to be exercised by the supreme judicial court in said county, except as hereinafter provided.

SECT. 16. Said criminal business of said county of Aroostook shall, after the taking effect of this act, be transacted at the terms of said superior court held on the first Tuesdays of May and November, together with the civil business of said court.

Terms designated for criminal and civil business.

SECT. 17. All indictments and informations, and all criminal processes pending in said supreme judicial court for said county, on the taking effect of this act, and all warrants and recognizances, appeals in criminal cases, and all criminal processes whatever, which would be returnable to, or which, by law, would be entered in said supreme judicial court in said county, on the third Tuesday of September, eighteen hundred and eighty-five, and all criminal matters arising within the jurisdiction of the supreme judicial court for said county, prior to the taking effect of this act, shall be returnable to and entered upon the docket of said superior court, and be heard and disposed of therein; and all grand jurors, witnesses and others, in criminal matters, who would, but for the passage of this act, be held to appear at said supreme judicial court for said county, on the third Tuesday of September, eighteen hundred and eighty-five, shall be held to appear at said May term of said superior court. Venires for grand jurors to serve at said superior court, shall be issued at least forty days before the first Tuesday of May, annually, and such jurors shall serve at every term of said superior court, for the transaction of criminal business, throughout the year.

Processes pending on March 10, 1885, and all processes returnable after that date, transferred to and made returnable to superior court.

All jurors and witnesses held to appear at Sept. term S. J. C. to appear at May term.

Venires for grand jurors, when to be issued.

—term of service.

SECT. 18. All exceptions or questions of law arising in any way during the trial of criminal cases in said superior court, shall be transferred to the law docket of the supreme judicial court for the eastern district, and shall have day therein; and if said exceptions are sustained or a new trial is ordered, the cause shall be remanded to said superior court for trial. All motions for a new trial in criminal cases tried

Exceptions and questions of law to be heard at law term S. J. C. for Eastern district.

CHAP. 324

in said superior court, shall be heard and finally determined by the justice thereof.

When any indictment is found for certain offenses, the clerk shall, on motion of either party, certify the same to the S. J. C.

SECT. 19. When any indictment is found for any of the offenses described in sections one and two of chapter one hundred and seventeen of the revised statutes, sections two, three, four, five, six, eight, nine, ten, eleven, twelve, thirteen, fifteen, twenty-five and twenty-seven of chapter one hundred and eighteen of the revised statutes, sections one, two and three of chapter one hundred and nineteen of the revised statutes, on motion of counsel for the state or for the respondent, made when the respondent is arraigned, the clerk of said superior court shall certify and transmit the indictment to the supreme judicial court for said county, at the next term, where it shall be entered. The supreme judicial court shall have cognizance and jurisdiction thereof, and proceedings shall be had therein in the same manner as if the indictment had been found in that court.

Sec. 5, ch. 115, R. S., not to apply to fees received by clerk of.

SECT. 20. Section five of chapter one hundred and fifteen of the revised statutes, so far as it limits the compensation of clerks of judicial court, shall not apply to fees received by the clerk of the superior court for Aroostook county.

Town of Caribou shall furnish rooms for use of court.

SECT. 21. The town of Caribou shall furnish proper and convenient rooms and accommodations for the use of the courts to be held in that town, and a proper place for the confinement of prisoners during such terms, free from expense to the county of Aroostook, and until said rooms and accommodations be so furnished, said courts shall be held in Houlton.

Act not to apply to pending actions.

SECT. 22. This act shall not affect actions commenced before the taking effect of this act.

Approved March 4, 1885.

Chapter 325.**CHAP. 325**

An Act relating to the appointment of Administrators, in cases where wills have been destroyed or lost, in estates interested in French Spoliation Claims.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

In all cases of claims against the United States arising out of French Spoliations, in those counties where the records of the probate court relating to the estate of any claimant have been lost or destroyed and have not been restored, the judge of probate having jurisdiction may, on petition and after public notice and hearing, appoint a special administrator upon the estate of any original claimant, deceased testator or intestate, who may prosecute such claim against the United States as aforesaid, for the benefit of such estate, and at any time after six months from the date of his giving notice of his appointment and after public notice and order of distribution, may distribute said estate to those determined by the court to be entitled thereto; but no such distribution shall be disturbed by reason of any debt or claim afterwards filed against said estate. Such special administrators shall give such a bond as the judge may determine. But nothing herein contained shall prevent the appointment of an administrator under the general law.

Special administrators may be appointed upon estate of original claimant prosecuting claims against the United States, arising out of French spoliations.

—bond of.

Act not to prevent appointment under general law.

Approved March 4, 1885.

Chapter 326.

An Act to amend section forty-six of chapter seventy of the Revised Statutes, relating to discharges under the Insolvent Law.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section forty-six of chapter seventy of the revised statutes, is hereby amended by striking out the words "a cash book and other" in the nineteenth line, so that said section when amended shall read as follows :

Sec 46, ch. 70, R. S., amended.

'SECT. 46. A discharge shall not be granted, or if granted be valid, if the debtor has sworn falsely, or if he has concealed any property, books or papers relating to his estate and business, or if, having reasonable cause to believe himself

Discharge shall not be granted, or if granted, is not valid in cases of fraud.

CHAP. 327

—null and void,
if a-ssent of
creditor is pur-
chased.

insolvent, or being in contemplation of insolvency, he has within four months of the issuing of the warrant, paid or secured, directly or indirectly, in whole or in part, any borrowed money or pre-existing debt, or any liability of his or for him, or if he has caused his effects to be attached, or if he has destroyed, altered, mutilated or falsified any of his books, documents, papers, writings or securities, or has made or been privy to the making of any false or fraudulent entry in any book of account or other document, with intent to defraud his creditors, or give a preference contrary to this chapter, or has removed, or allowed to be removed, any property with a like intent, or has made any fraudulent payment, gift, transfer, conveyance or assignment of any part of his property, or if, having knowledge that any person has proved a false debt against his estate, he has not disclosed the same to the assignee within thirty days after such knowledge, or if, being a merchant or trader, he has not since March twenty-three, eighteen hundred and seventy-eight, kept proper books of account. And the discharge is null and void, if the debtor, or any person in his behalf, has procured the assent of any creditor thereto, by any pecuniary consideration or promise of any future preference.'

SECT. 2. This act shall not apply to pending proceedings.

Approved March 4, 1885.

Chapter 327.

An Act to provide for the appointment of Stenographers as Commissioners to take depositions and disclosures of Trustees.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Appointment of
stenographers as
commissioners to
take depositions.

SECT. 1. The governor, with the advice and consent of the council, may, upon the written recommendation of any judge of the supreme judicial court, appoint competent stenographers of either sex, as commissioners to take depositions in all cases and disclosures of trustees.

—qualification.

SECT. 2. Such commissioners shall qualify by taking the usual oath of office. They may act throughout the state, and shall hold office for four years, and shall pay the same fees

—tenure.

for their commission as are now paid by justices of the peace. CHAP. 328

SECT. 3. They shall have and exercise the same powers in taking depositions and disclosures of trustees as are now exercised and possessed by justices of the peace. —powers.

SECT. 4. Depositions and disclosures of trustees may be taken by them stenographically by the consent of the parties to the suit or proceeding, and their notes shall be transcribed in full by questions and answers, and read to the deponent or trustee and signed by him. If the deponent or trustee, in writing, waives such reading, the transcript shall be admissible as his deposition or disclosure, without his signature. No change of or addition to, the transcript shall be made by the deponent or trustee, except in the presence of the counsel who attested the taking of the deposition. The commissioner shall state the facts in his certificate, as to reading, signature or waiver, and what, if any, changes or additions were made. Depositions and disclosures, how taken.

SECT. 5. They shall receive the same fees for travel, swearing witnesses, notifying parties and deponents, as are now received by justices of the peace, and in addition thereto, twenty cents a page for their transcripts. Shall receive fees same as justices of the peace

Approved March 4, 1886.

Chapter 328.

An Act limiting section eighty-eight of chapter forty-nine of the Revised Statutes, in relation to the publication of statements of Insurance Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section eighty-eight of chapter forty-nine of the revised statutes shall not apply to foreign life insurance companies doing business in this state.

Foreign insurance companies relieved from duty of publishing annually, statement of condition.

Approved March 4, 1886.

Chapter 329.

An Act providing for the Taxation of Life Insurance Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Life insurance companies, shall be taxed.

—on real estate.

—premiums.

—surplus.

SECT. 1. Every life insurance company or association, organized under the laws of this state, in lieu of all other taxation, shall be taxed as follows : First, its real estate shall be taxed by the municipality in which such real estate is situated, in the same manner as other real estate is taxed therein. Second, it shall pay a tax of two per cent upon all premiums, whether in cash or notes absolutely payable, received from residents of this state during the year preceding the assessment, as hereinafter provided, first deducting therefrom all dividends paid to policy holders in this state on account of said premiums. Third, it shall pay a tax of one-half of one per cent per annum on its surplus, computed according to the laws of this state, after deducting the value of its real estate in this state, as fixed in determining such surplus, said surplus to be determined by the insurance commissioner, and his certificate thereof to the state treasurer to be final.

Shall annually return to insurance commissioner, statement of premiums liable to taxation.

SECT. 2. Every such company shall inclose in its annual return to the insurance commissioner, a statement of the amount of premiums liable to taxation, as provided in the preceding section, and of the real estate held by it on the thirty-first day of December.

Secs. 61 and 62, ch. 6, R. S., to apply to life insurance companies.

SECT. 3. Sections sixty-one and sixty-two of chapter six of the revised statutes, so far as not inconsistent herewith, shall apply to such companies or associations.

SECT. 4. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 330.

An Act relating to the compensation of County Commissioners for Piscataquis County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Each county commissioner for Piscataquis county shall receive two dollars and fifty cents per day while actually employed in the service of the county, including the time spent in traveling, for which he shall have ten cents a mile for the distance actually traveled ; but he shall not have more than one travel in the same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one petition or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind.

Compensation of
commissioners of
Piscataquis
county, estab-
lished.

Approved March 5, 1885.

Chapter 331.

An Act to amend section seven of chapter four of the Revised Statutes, relating to Elections.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section seven of chapter four of the revised statutes is hereby amended by striking out the words "of the previous year," in the eighth line, and inserting in place thereof the words 'used at the previous state election,' so that said section, when amended, shall read as follows :

Sec. 7, ch. 4,
R. S., amended.

'SECT. 7. In all towns, cities not included, having one thousand or more registered voters, the municipal officers shall receive applications of persons claiming a right to vote, on the three secular days next preceding the day of election, and no application shall be received after the hour of five in the afternoon on the secular day next preceding said day of election ; and no names shall be added to the list of voters on the day of election, by certificate or otherwise, except such as were upon the list used at the previous state election, and have been inadvertently omitted by the selectmen ; and on that day no change shall be made in names except to correct clerical errors therein.'

In towns having
1000 or more
voters, when
application may
be made to
selectmen for
registration.

—what changes
in list may be
made on election
day.

Approved March 5, 1885.

Chapter 332.

An Act to amend section five of chapter fifty-seven of the Revised Statutes, in relation to the Duties of Owners or Occupants of Grist Mills.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 5, ch. 57,
R. S., amended.

Section five of chapter fifty-seven of the revised statutes, is hereby amended, so that it shall read :

Owners of grist
mills to furnish
scales for weigh-
ing grain.

—grind grain in
the order it is
received at mill.

—penalty.

'SECT. 5. The owner or occupant of every grist mill shall keep scales and weights therein to weigh corn, grain and meal, when required ; and he shall well and sufficiently grind as required, according to the nature, capacity and condition of his mill, all grain brought to his mill for that purpose, and in the order in which it shall be received ; and for neglecting or refusing to weigh the same when required, or failing to grind the same in the order received, or for taking more than lawful toll, he shall be fined for every such offence in any sum not less than ten nor exceeding fifty dollars at the discretion of the court, *provided*, that this section shall not be so construed as to preclude the right of any owner or occupant of any mill to enter into any mutual agreement with any customer or customers as to the order in which the grain of such customers shall be received and ground, made at the time said customer or customers shall bring his or their grain to the mill for the purpose of being ground.'

Approved March 5, 1885.

Chapter 333.

An Act to authorize the taking of Birds and their Nests and Eggs for scientific purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Persons may be
commissioned to
kill birds and
take nests and
eggs, for scientific
purposes.

—number limited.

SECT. 1. Upon the request and recommendation of the fish and game commissioners, the governor, with the advice and consent of the council, may commission persons to take, kill, capture and have in possession any species of bird other than domestic, and the nests and eggs thereof for scientific purposes, but the number of commissions in force shall not exceed ten at any time.

SECT. 2. No person to whom such commission may be granted, shall sell, offer for sale, or take any compensation for specimens of birds, nests or eggs, nor dispose of the same by gift or otherwise, to be taken from the state, except by exchange of specimens for scientific purposes, and for any violation of any of the provisions of this section such person shall be subject to a fine of not less than ten nor more than fifty dollars, to be recovered by complaint before any trial justice or municipal judge, one-half to the complainant and one-half to the county where the proceedings are commenced.

Penalty for violation of provisions.

SECT. 3. This act shall not authorize the taking, capturing or killing any bird or taking the nests or eggs thereof, on Sunday.

Killing of birds, etc., on Sunday not authorized.

SECT. 4. The commissions authorized by this act shall be in force for two years only, from the date of their issue, and for each commission there shall be paid to the state, a fee of five dollars.

Tenure.

Fees.

SECT. 5. Whenever the fish and game commissioners shall so request, the governor shall recall and cancel any commission issued by the authority of this act.

Commission may be canceled.

Approved March 5, 1885.

Chapter 334.

An Act to amend and make clear section sixty-three of chapter three of the Revised Statutes, relating to Fish Weirs on the sea shore.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Section sixty-three of chapter three of the revised statutes shall be amended as follows, namely: That the words 'or maintained' shall be inserted after the word "erected" in the third line, the words 'for each offence' after the word "dollars" in the fourth line, and the words 'all acts or parts of acts inconsistent with this act are hereby repealed,' shall be added at the end of the last line, so that this section, when amended, shall read as follows:

Sec. 63, ch. 3, R. S., amended.

SECT. 2. No fish weir or wharf shall be extended, erected or maintained except in accordance with this chapter; and no fish weir shall be erected or maintained in tide waters below

Certain weirs excepted.

—no weirs to be set up in waters without consent of owner of shore or flats.

CHAP. 335

Inconsistent acts
repealed.

low water mark in front of the shore or flats of another without the owner's consent, under a penalty of fifty dollars for each offence to be recovered in an action of debt by the owner of said shore or flats; but this chapter does not apply to weirs, the materials of which are chiefly removed annually, provided that they do not obstruct navigation, nor interfere with the rights of others. All acts or parts of acts inconsistent with this act are hereby repealed.'

Approved March 5, 1885.

Chapter 335.

An Act to amend section twelve of chapter three of the Revised Statutes, relating to the Election of Selectmen.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 12, ch. 3,
R. S., amended.

Section twelve of chapter three of the revised statutes of eighteen hundred and eighty-three, is hereby amended by adding after the last word in said section, the following: 'until they have completed their duties as treasurers and collectors and had a final settlement with the town,' and further amended by striking out the words "having more than fifteen hundred inhabitants," in said section twelve, so that said section, when amended, shall read as follows :

Annual meetings,
when to be held.

—officers, num-
ber of, how
chosen.

—a third of
voters may have
an auditor
chosen.

—treasurers and
collectors of
towns cannot be
selectmen or
assessors.

'SECT. 12. Annual town meetings shall be held in March, and the voters shall then choose, by a major vote, a clerk, three, five or seven inhabitants of the town to be selectmen and overseers of the poor, when other overseers are not chosen, three or more assessors, two or more fence viewers, treasurer, surveyors of lumber, tythingmen, sealers of leather, measurers of wood and bark, constables, collectors of taxes and other usual town officers; and if one-third of the voters present are in favor thereof, they shall choose, by a major vote, one auditor of accounts, all of whom shall be sworn. Treasurers and collectors of towns shall not be selectmen or assessors, until they have completed their duties as treasurers and collectors and had a final settlement with the town.'

Approved March 5, 1885.

Chapter 336.

An Act in addition to section seventy-six of chapter fifty-one of the Revised Statutes in relation to Railroads crossing each other at grade.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

When railroads cross each other at grade, the parties operating the railroad last located there, shall build and maintain a suitable signal station at such crossing, at which a competent signal officer shall be kept at the joint expense of the parties operating the railroads. The signal shall not be set for a train to cross, until the engine of such train shall have arrived within five hundred feet of the intersection and stopped; and no train or engine shall cross the track of the other road, until the proper signal for it to cross shall have been set in position by the signal officer. Only one train or engine shall be allowed to cross under one setting of the signal unless coming from opposite directions on the same railroad. When the signal has been set for the trains on one of the railroads, it shall not be changed until those trains shall have passed entirely over the crossing. When trains on both railroads approach the crossing at about the same time, preference shall be given to passenger trains and the signal shall be set for the trains on each road in alternate order.

Regulations at railroad crossings.

Signals for approaching trains.

Preference given to passenger trains at crossings.

Approved March 5, 1885.

Chapter 337.

An Act to amend section fifteen of chapter twenty-six of the Revised Statutes, and imposing additional penalties against persons kindling fires on lands not their own.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section fifteen of chapter twenty-six of the revised statutes is hereby amended by adding at the end of said section the words, 'or he shall be imprisoned not more than three years,' so that said section, as amended, shall read as follows, namely :

'SECT. 15. Whoever kindles a fire on land not his own, without consent of the owner, forfeits ten dollars; if such fire spreads and damages the property of others, he forfeits

Sec. 15, ch. 26, R. S., amended

Penalty for kindling fire on land, without consent of owner.

CHAP. 338

not less than ten nor more than five hundred dollars, and in either case he shall stand committed until fine and costs are paid, or he shall be imprisoned not more than three years.'

Approved March 5, 1885.

Chapter 338.

An Act relating to Skating Rinks.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Keepers of skating rinks shall obtain license from municipal officers.

—fees.

—penalty.

SECT. 1. Every person who keeps a roller skating rink or room, shall obtain a license from the municipal officers of the city or town where such rink is located and shall pay therefor such sum as said municipal officers may deem proper. Any person keeping a roller skating rink without such license, shall be fined ten dollars for each day it is so kept, to be recovered by complaint, indictment, or action of debt, to the use of the prosecutor.

Hours for closing rinks, fixed.

—penalty.

SECT. 2. Every person so licensed shall keep such rink closed between ten o'clock in the evening, and sunrise, unless express permission in writing, to keep it open a longer time, is obtained from the municipal officers of the city or town where such rink is located. Any person violating this section, shall be fined ten dollars for every such offense, to be recovered as provided in the preceding section.

Approved March 6, 1885.

Chapter 339.

An Act to amend section eighty-eight of chapter forty-nine of the Revised Statutes, relating to Insurance Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 88, ch 49, R. S., amended.

Section eighty-eight of chapter forty-nine of the revised statutes, is hereby amended by striking out the word "takes" in the fourth line, and inserting in place thereof the word 'issues,' so that said section as amended, shall read as follows :

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• SECT. 88. Every foreign insurance company doing business in this state, shall annually, publish three weeks successively, in some daily or weekly paper printed in every county where it has a duly authorized agent, or issues policies, a condensed statement of its condition conformable to its last annual report to the commissioner; and any such insurance company which neglects or refuses to publish such statement, forfeits not less than fifty dollars.'

Foreign Ins. Co's
to publish annual
statement of con-
dition.

Approved March 6, 1885.

Chapter 340.

An Act relative to Criminal Costs and Expenditures in the County of Kennebec.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All judges of municipal and police courts in the county of Kennebec shall be paid salaries, to be fixed by the city council, or municipal officers, of their respective cities and towns, and paid quarterly from the treasuries thereof. All fees paid to and received by them in criminal cases shall be paid quarterly into the county treasury; and no salary shall be paid to any such judge until he shall file with the city or town treasurer, a written statement of the fines and criminal fees by him paid to the county treasurer during and for the preceding quarter.

Salaries of judges
of municipal
courts, how fixed.

—fees received
by, to be paid
into county
treasury.

—shall make
quarterly state-
ment of fees.

SECT. 2. The fees of such judges for services in criminal cases shall be allowed and taxed as in behalf of trial justices and shall, together with the fees paid in by any such judge, be annually paid to the city or town from which such judge receives his salary; *provided, however*, that if the amount of such fees so allowed and the fees paid in by any such judge during the year shall exceed the amount of his annual salary, such excess shall revert to the county and be covered into the county treasury. The word fees as used in this and the preceding section includes all fees fixed by law in criminal cases, including fees for copies. Such judges, however, may retain for their own use all fees received by them in civil cases. All blanks for criminal cases used by such judges shall be furnished by the county. When the salary

—fees of, how
taxed and dis-
posed of.

Fees defined.

Judges may
retain fees
received in
civil cases.

—blanks, how
furnished.

CHAP. 340

Salary not to be diminished during continuance of any judge in office.

of any judge has been fixed and established as provided in section one, it shall not afterwards be diminished during the continuance in office of any such judge to a sum lower than the amount of the fees received by the city or town during the preceding year from the county, under this section. The provisions of section one of chapter one hundred and thirty-two of the revised statutes, shall not apply to the county of Kennebec while this act is in force.

Marshals, deputy marshals and chiefs of police, salaries of, how fixed and paid.

SECT. 3. City marshals, deputy marshals and chiefs of police, in the county of Kennebec, shall be paid salaries, or a per diem compensation, to be fixed by the city council of cities and municipal officers of towns, and payable from the treasuries thereof. Such officers shall not be paid any fee for any official service in any criminal case in said county, except as provided in sections six and twelve of this act. The fees of such officers for services in criminal cases shall be taxed and allowed as in behalf of sheriffs, and fifty per cent thereof, first deducting fees referred to in sections six and twelve of this act, shall be annually paid by the county treasurer to the city or town from which any such officer receives his salary, or compensation, and the balance shall revert to the county and be covered into the county treasury. When said fifty per cent exceeds the annual salary or compensation of any such officer, such excess shall not be paid to the city or town, but shall be covered into the county treasury. Such officers may retain for their own use all fees received by them in civil cases. No such officer shall receive from any respondent in any criminal case any fine or costs, but in all such cases, such fine and costs shall be paid to the judge issuing the precept against such respondent.

—fees of, how taxed and disposed of.

—may retain fees received in civil cases.

—duties of.

SECT. 4. City marshals and their deputies, in the county of Kennebec, shall faithfully and diligently inquire into all violations of law, within their respective cities, and institute proceedings against violations or supposed violations of law, and particularly the laws against the illegal sale of intoxicating liquors and the keeping of drinking houses and tippling shops, either by promptly entering a complaint before a magistrate and executing the warrants issued thereon, or by furnishing the county attorney promptly and without delay with the names of alleged offenders and of the witnesses; and the county attorney shall cause such witnesses to be

promptly summoned before the grand jury. Whenever the aldermen of any city are, after investigation and hearing, satisfied that the city marshal, or his deputies, have wilfully refused or neglected to faithfully discharge the duties imposed by this section, they shall remove him, or them, from office. Nothing herein contained shall relieve any other officers named in chapter twenty-seven of the revised statutes, from any of the duties imposed upon them by said chapter.

—may be removed for neglect of duty.

SECT. 5. No police officer, or constable, in said county, who is paid a per diem compensation shall draw or receive any fees whatever from said county for services in any criminal case, except as provided in sections six and twelve of this act; but all such fees shall, if allowed, be covered into the county treasury to the use of the county.

Officers who receive per diem, shall not receive fees

—exceptions.

SECT. 6. Fees taxed and allowed to the officers named in sections three, four and five of this act for attendance as witnesses in any criminal case before the superior court, or before any court held in some town other than that in which such officers reside, shall be paid to them from the county treasury. The expenses of any such officer necessarily and reasonably incurred and actually disbursed in the service of any criminal precept, shall be allowed and paid to him upon his filing an itemized account thereof, under oath, accompanied by proper vouchers thereof.

—witness fees and expenses of, how paid.

SECT. 7. No sheriff, deputy sheriff, marshal, deputy marshal, police officer or constable, in said county, shall be entitled to fees for attendance as a witness in any criminal case while he is paid for attendance as an officer of the same court, or on the same examination or trial. No allowance shall be made to any such officer for aid in the service of any mittimus unless the same is first authorized in writing by the court issuing the same.

—not entitled to fees as witnesses when paid for attendance as an officer of court.

SECT. 8. In the service of any precept in criminal cases, in said county, the officer shall be allowed the actual, reasonable and necessary expenses incurred thereon; and if he necessarily uses a horse and carriage he shall be allowed a reasonable sum therefor, when it appears that the amount allowed for travel does not compensate him for such use of a horse and carriage; if the journey so made can be performed by railroad, no allowance shall be made for a horse and carriage.

—shall be allowed reasonable expenses in service of precept in criminal cases.

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Treasurer shall publish annually, itemized statement of financial condition of county.

SECT. 9. The treasurer of said county shall, at the end of each year, in connection with the commissioners, make a statement of the financial condition of the county, showing in detail all moneys received into and paid out of its treasury, and other facts and statistics necessary to exhibit the true statement of its finances, and shall publish in pamphlet form a reasonable number of copies for distribution among its citizens. Such statement shall be itemized as far as practicable, and shall particularly show the amount paid each sheriff, deputy sheriff, jailer, marshal, deputy marshal, police officer, constable, judge of a municipal or police court, trial justice, and each county officer or employe. It shall also show in a separate table, the actual expense incurred in enforcing the laws relative to the sale of intoxicating liquors, together with a detailed statement of the fines received therefrom.

Contracts for work on public buildings, how made.

SECT. 10. All contracts for repairs, or work of any kind, upon the public buildings of said county, shall, if more than one hundred dollars in amount, be made in writing, after notice for proposals therefor has been published in at least two newspapers in said county, representing different political parties; such contract to be awarded to the lowest responsible bidder therefor.

All supplies for county shall be furnished on contracts.

SECT. 11. The fuel, books, blanks, stationery, printing, binding, and such other articles as the nature of the case will admit, shall be furnished and obtained by the commissioners of said county upon annual contracts made in writing, and awarded to the lowest responsible bidder, after notice for proposals therefor has been published three times in at least three newspapers in said county, not more than two of which shall represent the same political party.

Fees received for seizure of intoxicating liquors, how taxed and disposed of.

SECT. 12. Whenever, in said county, intoxicating liquors are seized, with or without a warrant, under any of the provisions of chapter twenty-seven of the revised statutes, the fees of the judge, marshal, deputy marshal, police officer, or constable, on the warrant or libel issued thereon, shall be taxed and allowed in the manner now provided by law, and shall be paid to them from the county treasury; and such fees, so paid, shall not be included in the fees required by this act to be paid to the city or town, but shall be in addition to the salaries, or compensation, paid to such judge or

officer. When, however, such liquors are seized in transit, and, on final hearing, are ordered returned to the claimant, the fees of the marshal, deputy marshal, police officer and constable, on the warrant and libel issued thereon, shall be subject to the provisions of section three of this act, and disposed of as therein provided. Whenever on such warrant or libel, where intoxicating liquors have been seized, the county commissioners do not allow the costs as taxed by the magistrate, the person aggrieved may appeal to the judge of the superior court for said county, whose decision thereon shall be final.

—when not allowed by Co. commissioners, aggrieved party may appeal.

SECT. 13. All existing acts, public and private, inconsistent herewith, are hereby modified so as to conform to the provisions of this act.

Inconsistent acts modified.

SECT. 14. This act shall take effect March twenty-three, in the year of our Lord one thousand eight hundred and eighty-five, and on its approval, the secretary of state shall forward a copy of this act to the mayors of the cities of Augusta, Gardiner and Hallowell, and selectmen of the town of Waterville.

When act shall take effect.

Approved March 6, 1885.

Chapter 341.

An act to require town and plantation officers to keep a record of all persons moving into and from their respective towns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That towns and plantations are hereby authorized, at any regular meeting, by a vote thereof, to require their assessors of taxes to keep a record, with the date thereof as near as practicable, of all persons moving into and from their respective towns and plantations during each year, and on the first day of May make a return of the same to the clerk thereof, who shall record the same in a book to be kept for such purpose.

Assessors required to keep a record of persons moving into and from towns and plantations if so directed.

SECT. 2. The said clerks shall furnish copies of such records upon payment of a reasonable fee.

—copies to be furnished by clerk.

Approved March 6, 1885.

CHAP. 342

Chapter 342.

An Act to amend section nine of chapter one hundred and sixteen of the Revised Statutes relating to Fees of Jailers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 9, ch. 116,
R. S., amended.

Section nine of chapter one hundred and sixteen of the revised statutes of eighteen hundred and eighty-three is hereby amended by striking out the word "the" before the word "commitment," in the first line, and inserting instead thereof the words 'each and every,' and by inserting after the word "commitment" the words 'removal, return,' so that said section, as amended, shall read as follows :

Jailer's fees for
commitment, etc.,
and discharge.

'SECT. 9. The jailer's fees for each and every commitment, removal, return or discharge of a prisoner are twenty cents ; and for the entire support of each prisoner of every description committed to his custody, such sum, not exceeding one dollar and seventy-five cents a week, as the county commissioners judge reasonable, when the average number is not less than sixteen persons a week. When such weekly average is less than sixteen, such sum as said commissioners judge reasonable, not exceeding, in any event, two dollars and fifty cents a week ; *provided, however,* that if the average is not less than eight, such sum shall not exceed two dollars and forty cents ; if not less than ten, the sum shall not exceed two dollars and twenty cents ; and if such weekly average of prisoners is not less than twelve, such sum shall not exceed two dollars a week. Averages shall be made on each account of time exhibited by the jailer. In jails containing work-shops, jailers shall receive for every prisoner laboring in said shops, twenty-five cents a week, in addition to the sum above provided.'

—county com-
missioners shall
fix jailer's weekly
compensation for
support of
prisoners.

Approved March 6, 1885.

Chapter 343.

An Act to fix the salary of the Judge and Register of Probate for Knox County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. From and after the first day of January, in the year of our Lord one thousand eight hundred and eighty-five, the salary of the judge of probate for Knox County shall be two hundred and fifty dollars a year.

Salary of judge of probate, Knox county, fixed.

SECT. 2. From and after the first day of January, in the year of our Lord one thousand eight hundred and eighty-five, the salary of the register of probate for Knox County shall be four hundred dollars a year.

—register of probate.

SECT. 3. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 344.

An Act to amend section twenty-five of chapter twenty-six, Revised Statutes, relating to inner doors of School Houses and other public buildings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Provided, that the provisions of section twenty-five of chapter twenty-six of the revised statutes, shall not apply to school houses of one story in height.

Provisions of sec. 25, ch. 26, R. S., not to apply to school houses of one story.

Approved March 6, 1885.

Chapter 345.

An Act to amend section two of chapter one hundred and sixteen of the Revised Statutes, relating to the Fees of Trial Justices.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section two of chapter one hundred and sixteen of the revised statutes is hereby amended by inserting after the words "trial of an issue" in the eighth line of said section, the words, 'in a civil action.'

Sec. 2, ch. 116, R. S., amended.

Approved March 6, 1885.

CHAP. 346

Chapter 346.

An Act to restore the salary of the County Attorney for the County of York.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows ;

Salary of attorney for York county, fixed.

From and after the first day of January, in the year of our Lord one thousand eight hundred and eighty-five, the salary of the county attorney for the county of York shall be seven hundred and fifty dollars a year.

Approved March 6, 1885.

Chapter 347.

An Act to amend section nineteen of chapter two of Revised Statutes, relating to the expenditure of money in excess of the amount appropriated in certain cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec 19, ch. 2, R. S., amended.

Section nineteen of chapter two of revised statutes be amended by striking out all in said section following the word "re-imbursement" and inserting instead thereof, the words 'any such agent or officer who shall violate the provisions of this section shall upon conviction be fined a sum equal to such excess of appropriation by him expended, and imprisoned in the discretion of the court. All prosecutions under this section shall be by indictment and the fine inure to the state,' so that said section shall read as follows :

No agent or officer of state shall exceed appropriations.

—penalty.

—prosecutions and fines.

'SECT. 19. No agent or officer of the state, or of any department thereof, whose duty it is to expend money under an appropriation by the legislature, and who exceeds in his expenditure said appropriation, shall have any claim for reimbursement. Any such agent or officer who shall violate the provisions of this section shall upon conviction be fined a sum equal to such excess of appropriation by him expended, and imprisoned in the discretion of the court. All prosecutions under this section shall be by indictment and the fine inure to the state.'

Approved March 6, 1885.

Chapter 348.

An Act to prohibit the sale to minors of Publications devoted to Criminal News.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Whoever knowingly sells, lends, gives away, or shows to any minor child, any book, pamphlet, magazine, newspaper, or other printed paper devoted to the publication, or principally made up of criminal news, police reports, or accounts of criminal deeds, or pictures and stories of lust or crime; or circulates, posts, or causes to be circulated or posted in any conspicuous or public place, any picture, hand bill or poster containing obscene, indecent, or immoral representations; or in any manner hires, uses, or employs any minor child to sell or give away, or in any manner to distribute, or who, having the care, custody or control of any minor child, permits such child to sell or give away, or in any manner to distribute any book, magazine, pamphlet or newspaper coming within the first paragraph of this section, shall be punished by imprisonment in the county jail not more than six months, or by fine not less than twenty-five dollars nor more than one hundred dollars, or by both imprisonment and fine.

Sale, etc., to minor children, of criminal news, obscene pictures, etc., punished.

—penalty.

SECT. 2. Judges of municipal and police courts and trial justices shall have by complaint, jurisdiction of the offenses mentioned in this act, original and concurrent with the supreme judicial and superior courts.

—jurisdiction of offenses.

Approved March 6, 1885.

Chapter 349.

An Act to amend section seven of chapter seven of the Revised Statutes, relating to the Northern Registry District of Aroostook County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section seven of chapter seven of the revised statutes is hereby amended by striking out the words "thence south to the northeast corner of township numbered thirteen in the third range;" in the fifth and sixth lines of said section and inserting in place thereof the words 'thence north to the

Sec. 7, ch. 7, R. S., amended.

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northeast corner of township numbered fifteen in the third range, thence west to the northwest corner of said township numbered fifteen in the third range, thence south to the southwest corner of township numbered fifteen in the third range, thence west to the northwest corner of township numbered fourteen in the fourth range, thence south to the southwest corner of township numbered fourteen in the fourth range,' so that said section, as amended, shall read as follows :

Northern district
in county of
Aroostook.

'SECT. 7. All that part of the county of Aroostook lying north of a line commencing at the southeast corner of township F, in the first range, west from the east line of the state, thence west on the south line of said township and the south line of township K in the second range, to township numbered fifteen in the third range, thence north to the northeast corner of township number fifteen in the third range, thence west to the northwest corner of township numbered fifteen in the third range, thence south to the southwest corner of township numbered fifteen in the third range, thence west to the northwest corner of township numbered fourteen in the fourth range, thence south to the southwest corner of township numbered fourteen in the fourth range, thence west on the dividing line of townships thirteen and fourteen to the seventh range line, thence north to the northeast corner of township number thirteen in the eighth range, thence west to the west line of the state, compose the northern registry district of Aroostook county and the register shall keep his office in the town of Madawaska.'

Approved March 6, 1885.

Chapter 350.

An Act to amend section one hundred and seventy-five of chapter six of the Revised Statutes, relating to Suit for Taxes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 176, ch. 6,
R. 8., amended.

Section one hundred and seventy-five of chapter six of the revised statutes is hereby amended by striking out the word "foregoing" in the first line and substituting therefor the word 'other,' so that said section, as amended, shall read as follows :

'SECT. 175. In addition to the other provisions for the collection of taxes legally assessed, the mayor and treasurer of any city, the selectmen of any town, and the assessors of any plantation to which a tax is due, may, in writing, direct an action of debt, to be commenced in the name of such city or of the inhabitants of such town or plantation, against the party liable; but no such defendant is liable for any costs of suits unless it appears by the declaration and by proof that payment of said tax had been duly demanded before suit.'

Approved March 6, 1885.

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Municipal officers may direct suit for taxes, to be commenced against any delinquent.

Chapter 351.

An Act to amend section eleven of chapter fifty-eight of the Revised Statutes, relating to Agricultural Institutions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Section eleven of chapter fifty-eight of the revised statutes is hereby amended by striking out all of said section after the word "dollars" in the eighteenth line of said section, so that said section as amended, shall read as follows:

Sec. 11, ch. 58, R. S., amended.

'SECT. 11. The treasurer of an incorporated agricultural or horticultural society, on application made prior to the first Wednesday of each December, shall receive from the state treasury a sum equal to that raised by such society during the year preceding, but not exceeding one cent to each inhabitant of the county where it is located, according to the last preceding national census, nor more than four hundred dollars to one county. If there is more than one such society in any county, and the sums so applied for exceed the limits aforesaid, it shall be paid to each in proportion to the amount expended by it, as hereinafter provided. But the Penobscot and Aroostook Union Agricultural Society may annually receive as much as is raised by it, not exceeding one hundred dollars, without regard to population; and the Waldo and Penobscot Agricultural Society as much as is raised by it, not exceeding one hundred and thirty dollars; and the same shall be deducted from the sums allowed to

State treasurer to pay to treasurer of society amount equal to that raised by the society.

—limitation.

—If there is more than one society in a county, each to have proportion.

—exceptions.

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said counties, in proportion to the number of inhabitants of each county within the limits of such society; and the Ossipee Valley Union Agricultural Society, shall receive as much as is raised by it, not exceeding two hundred dollars.'

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 352.

An Act to amend section twelve of chapter eleven of the Revised Statutes, in relation to Apportionment of School Money.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 12, ch. 11.
R. S., amended.

SECT. 1. Section twelve of chapter eleven of the revised statutes is hereby amended by adding thereto the words ' but money apportioned to districts formed from two or more towns, shall not be diminished under the provisions of this section,' so that said section as amended, shall read as follows :

Assessors and
committee to
apportion school
money among
smaller districts.

'SECT. 12. The assessors and superintending school committee or school supervisors of towns, may annually apportion twenty per cent of all money required to be raised by section six, and twenty per cent of all money received from the state for schools, except money received under section twenty-eight, among the districts in the several towns, in such manner as in their judgment shall give to the smaller districts, as nearly as may be, an equal opportunity for a common school education. But money apportioned to districts formed from two or more towns shall not be diminished under the provisions of this section.'

—money to dis-
tricts formed from
two or more
towns, not to
be diminished.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 353.

An Act to amend section seventy of chapter six of the Revised Statutes, relating to Assessment of Taxes in places not incorporated.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section seventy of chapter six of the revised statutes is hereby amended by striking out from the third line of said section the words "including those made on account of highways," so that said section, as amended, shall read as follows :

Sec. 70, ch. 6,
R. S., amended.

'SECT. 70. Such lands may be assessed by the county commissioners according to the last state valuation for a due proportion of county taxes. Lists of such taxes shall immediately be certified and transmitted by the county treasurer to the treasurer of state. In the list, each such township and tract shall be sufficiently described, with the date and amount of assessment on each. The treasurer of state shall, in his books, credit the county treasurer for the amount of each such assessment; and when paid to him, shall certify to the county treasurer the amount of tax and interest so paid on the first Monday of each January.'

Lands in places
not incorporated,
subject to county
taxes.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 354.

An Act to provide for Recording Deeds made by the State of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Any person interested in any land conveyed by the state of Maine, the deed of which is recorded in the land agent's office, may cause a copy attested by the land agent to be filed and recorded in the registry of deeds in the county and registry district where said land lies, whether said deed shall or not have been acknowledged by the agent or other person making the same; and such record shall have all the force and effect of a record of deeds duly acknowledged. .

Recording of
deeds made by
State of Maine,
to provide for.

Approved March 6, 1885.

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Chapter 355.

An Act to amend chapter one hundred and fifteen of the Revised Statutes, relating to the Salary of the Superintendent of the Insane Hospital.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 115,
R. S., amended.

Section one of chapter one hundred and fifteen of the revised statutes is hereby amended by striking out the word "thirteen" and inserting instead thereof the word 'sixteen,' so that said section shall read as follows :

Salary of superintendent of Insane Hospital, fixed.

'SECT. 1. The superintendent of the Maine Insane Hospital, sixteen hundred dollars.'

Approved March 6, 1885.

Chapter 356.

An Act fixing the Salary of the Treasurer of Waldo County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of treasurer of Waldo county, how fixed.

SECT. 1. The salary of the treasurer of Waldo county, shall be fixed by the county commissioners but it shall not exceed three hundred dollars for each year, and in that proportion for any fractional part of a year.

When act shall take effect.

SECT. 2. This act shall take effect on the first day of January, one thousand eight hundred and eighty-five.

Approved March 6, 1885.

Chapter 357.

An Act to authorize the Licensing of Private Detectives.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Private detectives, appointment.

SECT. 1. The governor, with the advice of the council, may license not exceeding twenty private detectives, for the detection, prevention and punishment of crime, to serve for the term of four years, unless such license is sooner revoked for cause. The fee for such license shall be fifty dollars, to

—tenure.

—fee for license.

be paid into the state treasury; and each person so licensed shall give bond with two sureties, approved by the governor and council, conditioned for the proper discharge of the services which he may perform by virtue of such license; but nothing herein contained shall be construed to confer on any such person, so licensed, any of the power and authority of sheriffs or police officers, except in cases of felonies and offenses under chapter one hundred and twenty of the revised statutes.

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—shall give bond.

—conditions.

—powers.

SECT. 2. Private detectives, licensed as aforesaid, shall have the same authority to arrest in cases of offenses under chapters one hundred and twenty and one hundred and twenty-five of the revised statutes, and of felonies in any part of the state, as sheriffs within their respective counties in similar cases. They shall receive the same fees as fees of sheriffs in similar cases, and no extra compensation shall be paid to them in any case, from the state or county treasury.

Shall have same authority as sheriffs, to arrest for offenses under chapters 120 and 125, R. S.

—fees.

Approved March 6, 1885.

Chapter 358.

An Act to repeal Penalties and Forfeitures on account of the failure to comply with section eight of chapter forty-eight of the Revised Statutes of eighteen hundred and seventy-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

No action or indictment shall be maintained for any penalty, or forfeiture, or fine imposed in consequence of a failure to comply with the requirements of section eight, chapter forty-eight of the revised statutes of eighteen hundred and seventy-one; and this act shall apply to pending suits and indictments commenced since the repeal of said statute, except as to costs.

Action shall not be maintained for failure to comply with sec. 8, ch. 48, R. S.

—act to apply to pending suits.

Approved March 6, 1885.

Chapter 359.

An Act to amend the Revised Statutes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 36, ch. 2,
R. S., amended.

SECT. 1. Section thirty-eight of chapter three of the revised statutes is hereby amended in line five, by inserting after the word "preceding," the words 'with a full account of the receipts and disbursements during that period, and to whom and for what purpose each item of the same was paid,' so that the first sentence of said section, as amended, shall read as follows :

Selectmen, treasurer, &c.,
required to make
detailed reports.

'SECT. 38. Persons charged with the expenditure of the money of a town, shall, on or before the morning of each annual meeting, make a full, detailed written or printed report of all their financial transactions in behalf of the town, during the municipal year immediately preceding, with a full account of the receipts and disbursements during that period, and to whom and for what purpose each item of the same was paid, with a statement in detail of the indebtedness and resources of the town.'

Sec. 141, ch. 6,
R. S., amended.

SECT. 2. Section one hundred and forty-one of chapter six of the revised statutes is amended in line seven by inserting after the word "marries" the words 'the aforesaid notice is not requisite, but,' so that said section, as amended, shall read as follows :

Collector or adm'r
may sue for
taxes.
—town magis-
trate may try
case.

'SECT. 141. Any collector of taxes, or his executor or administrator, may, after due notice, sue in his own name for any tax, in an action of debt, and no trial justice or judge of any municipal or police court before whom such suit is brought, is incompetent to try the same by reason of his residence in the town assessing said tax. Where before suit the person taxed dies or removes to any other town, parish or place in the state, or, being an unmarried woman, marries, the aforesaid notice is not requisite, but the plaintiff shall recover no costs unless payment was demanded before suit.'

— no costs for
plaintiff unless
demand is made
before suit.

Sec. 8, ch. 18,
R. S., amended.

SECT. 3. Section eight of chapter eighteen of the revised statutes is amended in lines ten and eleven, by substituting for the words, "and issue execution for the damages recovered, with costs to the party prevailing in the appeal," the words 'for the damages recovered, and judgment for costs in

favor of the party entitled thereto, and shall issue execution for the costs only.' The same section is also further amended in line sixteen by inserting after the word "record," the words 'and order the damages therein recovered to be paid as provided in section seven,' so that said section, as amended, shall read as follows:

'SECT. 8. Any person aggrieved by the estimate of damages by the county commissioners, on account of the laying out or discontinuing of a way, may appeal therefrom, at any time before the third day of the regular term succeeding that at which the commissioners' return is made, to the term of the supreme judicial court, first held in the county where the land is situated, more than thirty days after the expiration of the time within which such appeal may be taken, excluding the first day of its session, which court shall determine the same by a committee of reference if the parties so agree, or by a verdict of its jury, and shall render judgment for the damages recovered, and judgment for costs in favor of the party entitled thereto, and shall issue execution for the costs only. The appellant shall file notice of his appeal with the county commissioners within the time above limited, and at the first term of the court shall file a complaint setting forth substantially the facts, upon which the case shall be tried like other cases. The clerk shall certify the final judgment of the court to the county commissioners, who shall enter the same of record, and order the damages therein recovered to be paid as provided in section seven. The party prevailing recovers costs to be taxed and allowed by the court, except that they shall not be recovered by the party claiming damages, but by the other party, if on such appeal by either party, said claimant fails to recover a greater sum as damages than was allowed to him by the commissioners.'

Appeal from commissioners to supreme court.

—by agreement, appeal may be determined by committee of reference.

—appellant to file notice of appeal with county commissioners.

—costs.

SECT. 4. Section sixteen of chapter eighteen of the revised statutes is amended in line five by substituting for the words "it has been laid out" the words 'the return has been filed,' so that said section, as amended, shall read as follows:

Sec. 16, ch. 18, R. S., amended.

'SECT. 16. A written return of their proceedings, containing the bounds and admeasurements of the way, and the damages allowed to each person for land taken, shall be made and filed with the town clerk in all cases. The way is not

After municipal officers have laid out, town may accept.

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established until it has been accepted in a town meeting legally called after the return has been filed, by a warrant containing an article for the purpose.'

Sec. 18, ch. 18,
R. S., amended.

SECT. 5. Section eighteen of chapter eighteen of the revised statutes is amended so as to read as follows :

Damages, how
estimated and
paid.

'SECT. 18. The damages for a town way shall be paid by the town ; for a private way, by those for whose benefit it is stated in the petition to be, or wholly or partly by the town, if under an article in the warrant to that effect it so votes at the meeting accepting such private way ; or by cities, if it is proposed in the return laying out such way. Any person aggrieved by the estimate of such damages may have them determined as provided in section eight, by written complaint to the supreme judicial court, returnable at the term thereof next to be held, within the county where the land lies, after sixty days from the date of the laying out, alteration or discontinuance of such way by the town. The complaint shall be served at least thirty days before said term by delivering in hand an attested copy to the clerk of the town where the land lies, and by posting attested copies in two public and conspicuous places within said town and in the vicinity of the way. But the final judgment shall be recorded in said court, and shall not be certified to the county commissioners.'

Sec. 22, ch. 18,
R. S., repealed.

SECT. 6. Section twenty-two of chapter eighteen of the revised statutes is repealed.

Sec. 19, amended.

SECT. 7. Section nineteen of chapter eighteen of the revised statutes is amended in the last line but one, by substituting for the word "and" the words 'as is provided in sections forty-nine to fifty-one, inclusive ; and also,' so that the last sentence of said section, as amended, shall read as follows :

Appeal.

'When the decision of the commissioners is returned and recorded, such owner or tenant, or other party interested, has the same right to appeal to the supreme judicial court as is provided in sections forty-nine to fifty-one, inclusive ; and also to have his damages estimated as provided in section eight.'

Sec. 44, ch. 27,
R. S., amended.

SECT. 8. Section forty-four of chapter twenty-seven of the revised statutes is amended so as to read as follows :

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'SECT. 44. All liquors and vessels declared forfeited by any court under this chapter, shall, by order of the court rendering final judgment thereon, be delivered to the mayor and aldermen of any city, selectmen of any town, and assessors of any plantation to which they were forfeited. Said officers shall examine such liquors, and if they determine that any portions are fit to be sold for medicinal, mechanical or manufacturing purposes, they shall deliver such portions to the agent of their city, town or plantation, to be by said agent sold in accordance with this chapter. If they find any portions of the same unfit for such uses, they shall destroy the same by pouring them upon the ground. If there is no agency in the city, town or plantation where such forfeited liquors were seized, the same shall, by order of the court rendering final judgment thereon, be delivered to the state agent, who shall examine such liquors, and if he determines that any portions are fit to be sold for medicinal, mechanical or manufacturing purposes, he shall add the same to his stock and pay the value thereof to the municipal officers of the city, town or plantation where they were seized, and if he finds any portions thereof unfit for such uses, he shall destroy the same by pouring them upon the ground. All vessels forfeited under this chapter may be sold by said officers at public or private sale, and the proceeds thereof paid into the treasury of such city, town or plantation.'

Liquors forfeited,
order of court.

—officer to
deliver liquors to
town agent, if
fit for use.

—if unfit, shall
destroy.

—if no town
agency, shall
deliver to state
agent.

—officers shall
sell vessels.

SECT. 9. Section sixty-six of chapter forty of the revised statutes is amended in the last line by substituting for the word "seize" the words 'appropriate to their own use or gift,' so that the last sentence of said section, as amended, shall read as follows:

Sec. 66 ch. 40,
R. S., amended.

'They may seize any implement used in illegal fishing, and may render any weir unlawfully built or maintained, incapable of taking fish, and may, on view, appropriate to their own use or gift, any fish taken or possessed in violation of law.'

—unlawful imple-
ments and fish
forfeited.

SECT. 10. Section forty-four of chapter forty-six of the revised statutes is amended in line four by substituting for the word "aforesaid" the words 'provided in the two following sections,' so that said section, as amended, shall read as follows:

Sec. 44, ch. 46,
R. S., amended.

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Except in banks, stockholders not liable beyond amount of stock.

—existing liabilities not affected.

Secs. 3 and 5, ch. 52, R. S., repealed.

Sec. 2, ch. 55, R. S., amended.

Notice of meeting, how given.

Sec. 49, ch. 70, R. S., amended.

—hearing and decision.

—on what grounds discharge may be annulled.

—when judgment shall be rendered for insolvent.

Sec. 4, ch. 124, R. S., amended.

'SECT. 44. No stockholder in any corporation, except in banks, has, after February twenty-four, eighteen hundred and seventy-one, been liable for the debts of or claims against such corporation beyond any amounts withdrawn or not paid in, as provided in the two following sections; but neither this section nor the four following, affect past or future liabilities of any officer of any corporation; nor any liability of any person or corporation or remedy therefor, existing on said twenty-fourth day of February.'

SECT. 11. Sections three and five of chapter fifty-two of the revised statutes are repealed.

SECT. 12. Section two of chapter fifty-five of the revised statutes is amended in the first line by substituting for the words "the justice" the words 'such applicant,' so that section, as amended, shall read as follows:

'SECT. 2. Such applicant may call it, by reading the warrant in the presence and hearing of each, or by leaving an attested copy thereof at his last and usual place of abode, at least fourteen days before the day of meeting, or by publishing an attested copy thereof in some newspaper printed in said county, for two weeks successively, the first publication to be at least fourteen days before the day of meeting.'

SECT. 13. Section forty-nine of chapter seventy of the revised statutes is amended in line twenty-six by inserting after the word "or" the words 'if the fraudulent acts proved,' so that the fifth sentence of said section, as amended, shall read as follows:

'If upon hearing the parties, any of the fraudulent acts set forth by the creditor against the insolvent are proved, and the creditor had no knowledge of the same until after the granting of the discharge, judgment shall be given in favor of the creditor, and the discharge of the insolvent annulled; but if none of the fraudulent acts, so set forth, are proved, or if the fraudulent acts proved, were known to the creditor before the granting of the discharge, judgment shall be rendered in favor of the insolvent, and the validity of his discharge shall not be affected by the proceedings.'

SECT. 14. Section four of chapter one hundred and twenty-four of the revised statutes, is amended, in line one, by substituting for the words "legally divorced," the words 'who has been for two years legally and finally divorced on his or

her own petition, or one to whom permission to marry again after divorce has been granted by the court,' so that said section, as amended, shall read as follows :

'SECT. 4. If any person, except one who has been for two years legally and finally divorced, on his or her own petition, or one to whom permission to marry again after divorce has been granted by the court, or one whose husband or wife has been continually absent for seven years and not known to her or to him to be living within that time, having a husband or wife living, marries another married or single person ; or if any unmarried person knowingly marries the husband or wife of another, when such husband or wife is thereby guilty of polygamy, he or she shall be deemed guilty of polygamy and punished by imprisonment for not more than five years, or by fine not exceeding five hundred dollars ; and the indictment for such offence may be found and tried in the county where the offender resides, or where he or she is apprehended.'

Polygamy, its punishment and where tried.

SECT. 15. Section thirty-six of chapter one hundred and twenty-four of the revised statutes, is amended in lines two and three, by substituting for the words "after having been loaded for ten hours or more" the words 'within twenty hours after they were loaded.' The same section is also further amended in lines five and six, by striking therefrom the words "provided, that they remain so long in the state," so that the first sentence of said section, as amended, shall read as follows :

Sec 36, ch. 124, R. S., amended.

'SECT. 36. Animals coming into the state on the same or connecting roads, or other transportation lines, shall, within twenty hours after they were loaded, be unloaded, comfortably yarded, and in cold or inclement weather, comfortably sheltered and shall be furnished with a sufficient quantity of proper food and good water ; and they shall continue so yarded or sheltered, fed and watered for a reasonable time.'

Animals brought into the state, shall be allowed rest, shelter, food and water.

CHAP. 360**Chapter 360.**

An Act to authorize the Governor, with the advice and consent of the Council, to appoint some person to be Register of Deeds for Franklin County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Register of deeds
for Franklin
county, appoint-
ment not limited
to sex.

The governor, with the advice and consent of the council, is hereby authorized to appoint some person, without regard to sex, to fill the present vacancy in the office of registry of deeds for the county of Franklin.

Approved March 6, 1885.

Chapter 361.

An Act relating to Corporations and record of changes in organization thereof.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporations
making change in
charter, to notify
secretary of state.

SECT. 1. Whenever a corporation shall make a change in its charter or certificate of organization, in any manner, for the more convenient transaction of its business, it shall forward a notice of such change to the secretary of state, who shall record the same in a book kept for that purpose, and for making such record the corporation shall pay the secretary of state for his services, five dollars, in advance ; said fee not to be within the provisions of section thirty-eight of chapter two of the revised statutes.

—record of.

—fee for.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 362.

An Act to amend section one hundred and thirty-six of chapter eighty-two of the Revised Statutes, relating to Taxation of Costs.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 136, ch. 82,
R. S., amended.

SECT. 1. Section one hundred and thirty-six of chapter eighty-two of the revised statutes is hereby amended by striking out the words "and his decision is final," and inserting instead thereof the following words : 'and either party

—either party
may appeal to the
court.

dissatisfied with his taxation may appeal to the court, or to a judge in vacation from whose decision no appeal shall be taken, and all attachments shall continue in force for thirty days after such appeal is decided; *provided, however*, that the costs shall be taxed and the appeal taken within thirty days from the rendition of final judgment or within thirty days from the term following the receipt of a rescript from the law court.'

—when costs shall be taxed and appeal taken.

SECT. 2. This act shall not apply to any pending taxation of costs.

Act not to apply to pending costs.

Approved March 6, 1885.

Chapter 363.

An Act relating to the Appointment of Administrators.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. If any judge of probate shall refuse or unreasonably delay the appointment of an administrator upon the estate of any person deceased upon due application therefor, an application may be made to the supreme court sitting in the county where the person deceased had his residence at the time of his death, or to any judge thereof in vacation, for such appointment; and said court or such judge, shall have the same power to appoint an administrator as the probate court now has.

Judge of S. J. court may appoint administrators, if judge of probate refuses or delays.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

CHAP. 364

Chapter 364.

An Act to amend section forty-seven of chapter one hundred and twenty-four of the Revised Statutes, relating to the jurisdiction of magistrates in Prosecutions for Cruelty to Animals

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 47, ch. 124,
R. S., amended.

Section forty-seven of chapter one hundred and twenty-four of the revised statutes is hereby amended so as to read as follows :

Magistrates may cause persons charged with offences described in preceding sections, to be arrested.

—If offence is not within jurisdiction, may cause the persons to recognize with sureties.

'SECT. 47. Municipal and police courts and trial justices shall, on complaint, cause to be arrested, persons charged with the commission, in their counties, of any of the offences described in the eighteen preceding sections; and when such offences are not of a high and aggravated nature, may try and punish by fine not exceeding twenty dollars, and by imprisonment not exceeding thirty days; but when, on examination, the offence appears to be one not within their jurisdiction for trial, they may cause the person or persons charged with the commission of the same, to recognize with sureties to appear before the supreme judicial or superior court, and in default thereof, except in case of corporations, to be committed to jail.'

Approved March 6, 1885.

Chapter 365.

An Act fixing the Compensation of Clerks of Courts for attendance upon the courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of clerks of courts for attendance upon court.

—proviso.

SECT. 1. Clerks of courts shall receive two dollars and fifty cents in the supreme judicial courts and the superior courts and two dollars in the county commissioners' courts, for each day's attendance; *provided*, that the amount of all fees including fees for attendance, received by each clerk shall not exceed the amount of his salary as fixed by law. In counties where the clerks have not a definite salary, they shall not receive fees for attendance upon any court except when necessary to make the amount of his compensation equal to one thousand dollars.

Not to be paid for attendance upon more than one court at the same time.

SECT. 2. No clerk shall be paid for attendance in person or by deputy, upon more than one court at the same time.

Approved March 6, 1885.

Chapter 366.

An Act amendatory of and additional to chapter twenty-seven, Revised Statutes, in relation to the sale of Intoxicating Liquors.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section thirty of chapter twenty-seven of the revised statutes, is hereby amended by striking out the words "one hundred dollars," in the sixth line, and inserting the words, 'five hundred dollars and costs;' and after the word "committed," in the last line, the words, 'and in default of payment thereof, shall be imprisoned for a term of not less than two nor more than six months;' so that said section, as amended, shall read as follows :

Sec. 30, ch. 27,
R. S., amended.

'SECT. 30. No person shall travel from town to town, or from place to place, in any city, town or plantation, on foot or by public or private conveyance, either by land or water, carrying for sale or offering for sale, or obtaining or offering to obtain, orders for the sale or delivery of any intoxicating or fermented liquors, in any quantity, under a penalty of not less than twenty nor more than five hundred dollars and costs, for each offer to take an order, and for each order taken, and for each sale so made, to be recovered on complaint or by indictment; half to the complainant and half to the county in which the offence is committed; and in default of payment thereof, said person shall be imprisoned for a term of not less than two nor more than six months.'

Traveling liquor
peddlers and
dealers, pun-
ished.

—penalty.

—how recovered.

—to whom it
accrues.

—alternative
penalty.

SECT. 2. Section thirty-four of chapter twenty-seven of the revised statutes is hereby amended by striking out all of said section after the words "first conviction," in the third line, and substituting the following words: 'Not less than thirty nor more than one hundred dollars, or he may be imprisoned not less than thirty nor more than ninety days, or he may be punished by both at the discretion of the court; and on every subsequent conviction he shall be punished by fine, not more than two hundred dollars, and be imprisoned not less than two nor more than six months,' so that said section, as amended, shall read as follows :

Sec. 34, ch. 27,
R. S., amended.

'SECT. 34. Whoever by himself, clerk, servant or agent, at any time sells any intoxicating liquor in violation of this chapter, forfeits, on first conviction, not less than thirty nor more than one hundred dollars, or he may be imprisoned not

Penalties for
selling liquors in
violation of law.

—first conviction

CHAP. 366

—subsequent
convictions.

Sec. 35, ch. 27,
R. S., amended.

Common sellers.
punishment.

—second and
subsequent con-
victions.

Sec. 37, ch. 27,
R. S., amended.

Drinking houses
prohibited.

—defined.

—penalty.

less than thirty nor more than ninety days, or he may be punished by both at the discretion of the court; and on every subsequent conviction he shall be punished by fine, not more than two hundred dollars, and be imprisoned not less than two nor more than six months.'

SECT. 3. Section thirty-five of chapter twenty-seven of the revised statutes is hereby amended by inserting after the word "months," in the fourth line, the words 'or both fine and imprisonment may be imposed at the discretion of the court,' so that said section, as amended, shall read as follows :

'SECT. 35. No person shall be a common seller of intoxicating liquors. Whoever violates this section shall be fined one hundred dollars, and in default of payment of fine and costs he shall be imprisoned sixty days, or instead of such fine he may be imprisoned three months, or both fine and imprisonment may be imposed at the discretion of the court. On a second and every subsequent conviction, he shall be fined two hundred dollars and imprisoned four months; and in default of payment of fine and costs, he shall be punished by four months' additional imprisonment.'

SECT. 4. Section thirty-seven of chapter twenty-seven of the revised statutes is hereby amended by striking out all of said section after the words "tippling shop," in line four, and substituting the following words: 'and upon the first conviction, shall be fined one hundred dollars and costs, and in default of payment shall be imprisoned three months, or instead of such fine and costs shall be imprisoned three months, or both at the discretion of the court, and on every subsequent conviction six months in addition to fine and costs;' so that said section, as amended, shall read as follows :

'SECT. 37. No person shall keep a drinking house and tippling shop. Whoever sells intoxicating liquors in any building, vessel or boat, contrary to law, and the same are there drank, is guilty of keeping a drinking house and tippling shop, and upon the first conviction shall be fined one hundred dollars and costs, and in default of payment, shall be imprisoned three months, or instead of such fine and costs, shall be imprisoned three months, or both, at the discretion of the court, and on every subsequent conviction, six months in addition to fine and costs.'

SECT. 5. Section forty-six, chapter twenty-seven of the revised statutes is amended by adding thereto the following words: 'All dumps or appliances for concealing, disguising or destroying liquors, so that the same cannot be seized or identified, found in the possession or under the control of any person or persons, shall be taken by the officers making said search or seizure, so far as the same is practicable, together with all bottles and drinking glasses or vessels found in the possession or under the control of any such person or persons, and carried before the next grand jury sitting in said county where said seizure and search is made, and the same together with all evidences of such dumps or appliances for concealing, disguising or destroying liquors, shall be presented to said grand jury for their consideration, and the same shall thereafter be subject to the order of the court issuing the warrant for said search and seizure,' so that said section when amended shall read as follows:

'SECT. 46. If an officer having a warrant, issued under this chapter, committed to him, directing him to seize any liquors, and to arrest the owner or keeper thereof, is prevented from seizing the liquors by their being poured out or otherwise destroyed, he shall arrest the alleged owner or keeper named in the warrant, and bring him before the magistrate, and make return upon the warrant that he was prevented from seizing said liquors by their being poured out or otherwise destroyed, as the case may be, and in his return he shall state the quantity so poured out or destroyed, as nearly as may be, and the magistrate shall put the owner or keeper so arrested upon trial; and if it is proved that such liquors as were described in the warrant were so poured out or destroyed, and that they were so kept or deposited and intended for unlawful sale, and that the person so arrested was owner or keeper thereof, he shall be punished in the same manner as if the liquors described in the warrant and in the return had been seized on the warrant and brought before the magistrate by the officer. All dumps or appliances for concealing, disguising or destroying liquors, so that the same cannot be seized or identified, found in the possession or under the control of any person or persons, shall be taken by the officer making said search or seizure, so far as the same is practicable, together with all bottles and drinking glasses or vessels found

Sec. 46, ch. 27,
R. S., amended.

Officer having a
warrant, duty of
when prevented.

—to arrest the
alleged owner.
—how to make
return in such
cases.

—trial of owner.

—penalty.

—dumps and
appliances for
preventing
seizure or identi-
fication of liquors,
shall be taken
and presented to
grand jury for
consideration.

CHAP. 366

in the possession or under the control of any such person or persons, and carried before the next grand jury sitting in said county where said seizure and search is made, and the same, together with all evidences of such dumps or appliances for concealing, disguising or destroying liquors, shall be presented to said grand jury for their consideration, and the same shall thereafter be subject to the order of the court issuing the warrant for said search and seizure.'

Sec. 48, ch. 27.
R. S., amended.

SECT. 6. Section forty-eight, chapter twenty-seven, revised statutes, is hereby amended by striking out the word "may," in the fifth and ninth lines, and substituting the word 'shall,' and by striking out the words "be fined not exceeding ten dollars, or imprisoned not exceeding thirty days," in the tenth and eleventh lines, and substituting therefor the words 'shall be imprisoned not less than five nor more than thirty days,' and by striking out the words "may be fined not exceeding twenty dollars, or imprisoned not more than ninety days," and substituting the words 'shall be imprisoned not less than ten nor more than ninety days.' Said section is further amended by striking out the word "or," at the beginning of the second line, and inserting the words 'shall be punished as hereinafter provided, and any person,' so that the section, as amended, shall read as follows:

Persons drunk in streets, and drunken disturbers of peace anywhere, shall be taken into custody.

'SECT. 48. Any person found intoxicated in any street or highway shall be punished as hereinafter provided, and any person who, being intoxicated in his own house, or in any other building or place, becomes quarrelsome, or in any other way disturbs the public peace, or that of his own or any other family, so as to render it necessary for the police or peace officers to interfere, shall be taken into custody by any sheriff, deputy sheriff, constable, marshal, deputy marshal, police officer or watchman, and committed to the watch-house, or restrained in some other suitable place, until a complaint can be made and warrant issued in due form, upon which he shall be arrested and tried, and if found guilty of being intoxicated as aforesaid, he shall be imprisoned not less than five, nor more than thirty days. For the second offence he shall be imprisoned not less than ten, nor more than ninety days. The judge or justice may remit any portion of said punishment, and order the prisoner discharged, whenever he becomes satisfied that the objects of the law and

—formal arrest and trial.

—penalty.

—second offence.

—punishment may be remitted.

the good of the public and the prisoner would be advanced thereby. But no part of said punishment shall be remitted, unless the prisoner, under oath, gives information from whom and where he procured the liquors by which he became intoxicated.'

—remittal of
punishment
restricted.

SECT. 7. Section sixty-two of chapter twenty-seven of the revised statutes is hereby amended by adding thereto the following words: 'State constables appointed under this section shall give bonds, with sufficient sureties, in the sum of five hundred dollars for the faithful performance of their duties, and said constables may be removed from office by the governor and council for good and sufficient reasons, and their places may be filled by appointment;' so that said section, as amended, shall read as follows:

Sec. 62, ch. 27,
R. S., amended.

'SECT. 62. Upon petition and representation of thirty or more well known tax payers in any county, that chapters seventeen and twenty-seven are not faithfully enforced by county or local officers, the governor and council shall inquire into such representations, and if, in their judgment, they are well founded, the governor, with the advice and consent of council, shall appoint two or more constables for such county, who shall diligently enforce said chapters, and for this purpose such constables shall have like powers and duties as sheriffs and deputies. For such services such constables shall receive the same compensation as sheriffs and deputies. State constables appointed under this section shall give bonds, with sufficient sureties, in the sum of five hundred dollars for the faithful performance of their duties, and said constables may be removed from office by the governor and council for good and sufficient reasons, and their places may be filled by appointment.'

When constables
may be appointed
by governor to
enforce chapters
17 and 27.

—pay.

—shall give
bonds.

—may be
removed.

SECT. 8. Whoever advertises or gives notice of the sale or keeping for sale of intoxicating liquors, or knowingly publishes any newspaper in which such notices are given, shall be fined for such offence the sum of twenty dollars and costs, to be recovered by complaint. One-half of said fine to complainant and other one-half to the town in which said notice is published.

Penalty for adver-
tising sale of
liquors.

—to whom it
accrues

SECT. 9. It shall be the duty of the clerk of courts, within thirty days after the adjournment of any superior or supreme judicial court, to publish in some newspaper of the

Clerk of courts
shall publish
disposition of
all appealed cases
and indictments.

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county, the disposition of all appealed cases and indictments for violations of the laws regulating the use and sale of intoxicating liquors.

Approved March 6, 1885.

Chapter 367.

An Act for the Protection of Legitimate Trade.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Owner of goods brought into the state after April 1, and placed on sale for a time less than one year, shall pay license fee.

—how assessed.

—when fee may be refunded.

Owner shall render statement of value of goods to assessors.

—penalty for refusal, to comply with this act.

SECT. 1. Any person who shall bring into this state a stock of goods, wares or merchandise, after the the first day of April, and shall lease, hire or occupy any store, shop or room, for the sale thereof, and shall continue such sale in such town or city for a space of time less than one year, shall pay to the treasurer of such town or city, for the use of such town or city, as license for such sale, a sum equal to the percentage of the last preceding taxation in such town or city, to be assessed upon such stock of goods, wares and merchandise, according to the average quantity of such goods, wares and merchandise so kept for sale.

SECT. 2. If such stock of goods, wares or merchandise remain in such town or city on or after the first day of April following, thus being liable to ordinary taxation, such an amount of license, provided in section one of this act, shall be refunded by the treasurer, at the time of the payment of the ordinary taxes on said goods, wares and merchandise.

SECT. 3. Any person having such goods, wares and merchandise for sale, as hereinbefore provided, shall, upon request of the assessors, render to them a true statement of the average quantity and value of such goods, wares and merchandise kept for sale, in the manner and for the time mentioned in section one of this act.

SECT. 4. Refusal to comply with the provisions of the foregoing sections of this act, shall be punished by a fine of not less than five dollars or more than twenty dollars for each and every day such goods, wares or merchandise are exposed for sale.

SECT. 5. Suits for penalties, in and under this act, shall be brought in the name of the treasurers of the towns and cities within which such penalties are incurred, and judges of police and municipal courts and trial justices shall have concurrent jurisdiction with the supreme and superior courts, of such suits.

Approved March 6, 1885.

CHAP. 368

—suits for. to be brought in name of town and city treasurers.

Chapter 368.

An Act to repeal section eleven, chapter one hundred and five of the Revised Statutes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section eleven of chapter one hundred and five of the revised statutes is hereby repealed.

Approved March 6, 1885.

Sec. 11, ch. 105, R. S., amended. Limitation of actions by the state.

Chapter 369.

An Act to amend section twelve of chapter one hundred and thirty-five of the Revised Statutes, relating to Confinement in the State Prison.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter one hundred and thirty-five, section twelve of the revised statutes is hereby amended by adding the words 'without labor,' between the words "confinement and in," in the sixth line of said section, so that the whole section shall read as follows :

'SECT. 12. When a person is convicted of a crime punishable with death, and sentenced therefor, the time for the execution of such sentence shall be fixed by the court, which time shall not be less than twelve nor more than fifteen months from the day on which such sentence is passed, and the convict shall, at the same time, be sentenced to confinement without labor in the state prison until such punishment is inflicted.'

Approved March 6, 1885.

Sec. 12, ch. 135, R. S., amended.

Time for execution in capital cases, to be fixed by the court, in the sentence.

—convict shall be sentenced to confinement without labor.

CHAP. 370**Chapter 370.**

An Act establishing the salary of the County Attorney, for the County of Androscoggin.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of attorney for Androscoggin county, fixed.

SECT. 1. The county attorney for the county of Androscoggin shall receive an annual salary from the treasurer of state, of five hundred dollars payable quarterly on the first days of January, April, July and October, in each year, beginning on the first day of April eighteen hundred and eighty-five, instead of the salary now provided by law.

Inconsistent acts repealed.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 6, 1885.

Chapter 371.

An Act relating to the Compensation of County Commissioners for Washington County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of commissioners of Washington county, fixed.

Each county commissioner for Washington county shall receive two dollars and fifty cents per day while actually employed in the service of the county, including the time spent in traveling, for which he shall have ten cents a mile for the distance actually traveled ; but he shall not have more than one travel in same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one petition or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind.

Approved March 6, 1885.

Chapter 372.

An Act relating to the Compensation of County Commissioners for Oxford County,

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Each county commissioner for Oxford county shall receive two dollars and fifty cents per day while actually employed in the service of the county, including the time spent in traveling, for which he shall have eight cents a mile for the distance actually traveled ; but he shall not have more than one travel in the same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one petition or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind.

Compensation of
commissioners of
Oxford county,
fixed.

Approved March 6, 1885.

Chapter 373.

An Act exempting Masonic, Odd Fellows, and other relief associations, from the operation of the statutes relating to Life Insurance.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Masonic, Odd Fellows, Knights of Pythias, Knights of Honor, Royal Arcanum, Ancient Order of United Workmen, United Order of the Golden Cross, and other relief associations doing business upon the assessment plan, which do not employ paid solicitors or canvassers, or pay, or cause or allow to be paid, commissions or fees for procuring membership therein, or obtaining applications for insurance upon the assessment plan, shall not be deemed life insurance companies, under the laws of this state.

Certain relief
associations not
to be deemed
insurance com-
panies.

Approved March 6, 1885.

CHAP. 374

Chapter 374.

An Act relating to the Support of Paupers who have lost their settlement by living in unincorporated places.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Towns relieving persons, who lose settlement under provision of sec. 3, ch. 24, R. 8., to be re-imbursed by state.

Whenever a person having a pauper settlement in a town loses such settlement by virtue of the provisions of section three of chapter twenty-four of the revised statutes, relief shall be furnished, and towns furnishing such relief shall be re-imbursed by the state as provided in section twenty-nine of said chapter, in case of paupers having no legal settlement in the state, and not having lived five years in the town furnishing such relief.

Approved March 6, 1885.

Chapter 375.

An Act relating to the Compensation of County Commissioners of the County of Penobscot.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of commissioners of Penobscot county, fixed.

SECT. 1. Each county commissioner for Penobscot county shall receive two dollars and fifty cents per day while actually employed in the service of the county, including the time spent in traveling, for which he shall have ten cents a mile for the distance actually traveled ; but he shall not have more than one travel in the same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one petition or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 376.

An Act to amend section one hundred and three of chapter eighty-one of the Revised Statutes, relative to the Limitation of Actions barred by the laws of the State or Country where the parties reside.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section one hundred and three of chapter eighty-one of the revised statutes be amended by adding at the end thereof, the words: 'but no action shall be brought by any person whose cause of action has been barred by the laws of any state, territory or country while all the parties have resided therein.'

Sec. 103, ch. 81,
R. S., amended.

Action shall not
be brought if
barred by laws
of state where
parties reside.

Approved March 6, 1886.

Chapter 377.

An Act to amend section seventy-five of chapter fifty-one of the Revised Statutes, relating to Railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section seventy-five of chapter fifty-one of the revised statutes is hereby amended by adding thereto the following words: 'unless the parties operating the railroad maintain a flag-man or a gate at the crossing of such highway,' so that as amended said section shall read as follows:

Sec. 75, ch. 51,
R. S., amended.

'SECT. 75. No engine or train shall be run across a highway near the compact part of a town at a speed greater than six miles an hour, unless the parties operating the railroad maintain a flag-man or a gate at the crossing of such highway. And no way shall be unreasonably and negligently obstructed by engines, tenders or cars. The corporation forfeits not exceeding one hundred dollars for every such offence.'

Highways, how
to be passed.

—not to be
obstructed.
—penalty.

Approved March 6, 1886.

Chapter 378.

An Act to regulate the erection of posts and lines for purposes of Electricity.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Electric companies shall be subject to duties and liabilities prescribed in this act.

SECT. 1. Every company incorporated for the transmission of intelligence, heat, light, or power by electricity, and all persons and associations engaged in such business, shall be subject to the duties, restrictions and liabilities prescribed in this act.

—shall not construct lines along highways without written permit of municipal officers.

SECT. 2. No such company, person or association shall construct lines upon and along the highways and public roads of any city or town, without first obtaining a written permit, signed by the mayor and aldermen, or selectmen, specifying where the posts may be located, the kind of posts, and the height at which and the places where the wires may be run. Before granting such permit, fourteen days' public notice thereof shall be given, and residents and owners of property upon the highways to be affected thereby, shall have full opportunity to show cause why such permit should not be granted. Such public notice shall be given by publication in some newspaper printed in such city or town, if any, the last publication to be fourteen days before said hearing; if no newspaper is printed therein, then by posting the same in some public and conspicuous place therein fourteen days before said hearing; when the application for such permit is filed, the mayor, or chairman of the selectmen shall indorse thereon what personal notice, if any, shall be given by such company, persons or associations, to the residents and owners of property to be affected thereby. At the hearing, such company, persons or associations, before proceeding, shall first prove that such order of notice has been complied with and public notice given as hereinbefore required, and the adjudication of the mayor and aldermen, or selectmen, that such personal and public notice has been given shall be final and conclusive. If from any cause the notice given appears to have been defective, the municipal officers may order new notice, not exceeding seven days, and adjourn said hearing to a time named in said new order of notice. After the erection of the lines, having first given such company, persons, associations or their agents opportunity to be heard, the

—public notice shall be given of application for permit.

—manner of notice.

—when personal notice shall be served.

—if notice is defective, new notice shall be given.

Lines may be changed by order of municipal officers.

municipal officers may direct any alteration in the location or erection of such posts, and in the height of the wires. Such permits, specifications and decisions shall be recorded in the records of the city or town.

SECT. 3. An owner of land near to or adjoining a highway or road along which lines shall hereafter be constructed, erected or altered in location or construction by any company, person or association, if said owner's property is any way injuriously affected or lessened in value, whether by occupation of the ground, or air, or otherwise by such construction, alteration or location of any such line, whether such owner is also the owner of the fee in such way or not, may within six months after such construction, alteration or location apply to the mayor and aldermen, or selectmen, to assess and appraise the damage. Before entering upon the service, they shall severally be sworn to faithfully and impartially perform the duties required of them by this act. They shall, on view, make a just appraisement, in writing, of the loss or damage, if any, to the applicant, sign duplicates thereof, and, on demand, deliver one copy to the applicant, and the other to the company or its agent. If damages are assessed, the company shall pay the same, with the costs of the appraisers. If the appraisers award that the applicant has suffered no damage, he shall pay the costs of the appraisers. The award and costs may be recovered in an action of debt, if not paid in thirty days after written demand therefor served upon the company or any of its agents; the supreme judicial court for the county shall have jurisdiction thereof, and full costs shall be allowed. Before entering upon the discharge of their duties under this section, such municipal officers may require the applicant to advance to them their fees for one day and from day to day thereafter.

Land and other
damages, how
appraised.

—award and
costs, how
recovered.

SECT. 4. Whoever desires to cut, disconnect or remove the wires or poles of a telephone or electric light company in order to move a building, alter, repair or improve a street, bridge or way, or for any other necessary purpose, shall leave a written statement of the time when and the place where such removal is desired, at its office if it has any in that town, and if it has not, he shall send it by mail to its nearest office three days before such time; upon the expira-

Wires may be
cut and poles
removed to allow
removal of build-
ings or repair of
streets, etc.

CHAP. 378

Fees of municipal officers for services.

Party aggrieved by assessment of damages, may appeal.

—how determined.

—costs, how paid.

Enjoyment of right to attach wire, etc., to any building, limited.

Liability of company for personal and other injury.

—liability of city or town.

—damages and costs, how paid.

Telephone connections, how regulated.

tion of which time, if such removal is not made by the company, such person may make the removal, and recover the cost thereof in an action of debt.

SECT. 5. The mayor and aldermen and selectmen shall each receive, for services performed under this act, two dollars a day.

SECT. 6. Either party aggrieved by the assessment of damages, may, within twenty days after the award, file in the office of the clerk of courts for the county, a copy of the award, with reasons of appeal, a copy of which papers, attested by the clerk, shall be served on the adverse party at least fourteen days before the term of the supreme judicial court for that county, to be holden next after the expiration of said fourteen days. After entry, the matter shall be determined by a jury, or by the court by agreement of parties, in the same manner as other civil causes. If the company is the appellant, and the award is not decreased, the costs shall be paid by the company; if the applicant appeals, and the award is not increased, the costs shall be paid by the applicant.

SECT. 7. No enjoyment by any company, person or association, for any length of time, of the privilege of having or maintaining posts, wires, or apparatus, in, upon, over, or attached to any building or land of other persons shall give a legal right to the continued use of such enjoyment, or raise any presumption of a grant thereof.

SECT. 8. When an injury is done to a person or to property by the posts, wires, or other apparatus of any company, person, or association, mentioned in section one, such company, person, or association shall be responsible in damages to the person injured. If the same be erected on a highway or town way, the city or town shall not, by reason of anything contained in this act or done thereunder be discharged from its liability, but all damages and costs recovered against a city or town on account of such injury shall be re-imbursed by the company, persons, or associations owning such posts, wires, or apparatus.

SECT. 9. Every corporation operating a telephone line in this state shall, upon the application of any other corporation operating a telephone line, allow to the corporation first making such application, connection between such lines upon

the same rates as charged for the same distances upon the lines of the corporations so connecting, and with the same charges for use of telephone exchanges as established for the patrons of such corporations. Every corporation authorized by its charter to grant telephone privileges, including the leasing of instruments and other appliances, shall grant such privileges upon equal and uniform terms and conditions.

SECT. 10. Section six of chapter one hundred and twenty-seven of the revised statutes is hereby amended by adding after word "telegraph," the words 'telephone or electric light line,' so that said section, as amended, shall read as follows :

Sec. 6, ch. 124,
R. S., amended.

'SECT. 6. Whoever wilfully or maliciously injures, removes or destroys any dam, reservoir, canal, trench, or their appurtenances, or the gear or machinery of a mill or manufactory ; draws off the water from a mill pond, canal or trench ; destroys or injures any engine or its apparatus for the extinguishment of fire, or any posts, glass caps, wires, or other material used in the construction and operation of a telegraph, telephone or electric light line ; removes, injures, or destroys any public or toll bridge, or places any obstruction on such bridge or on any public road, with intent to injure persons or property passing thereon, shall be punished by imprisonment for not more than three years or by fine not exceeding five hundred dollars.'

Penalty for
injuring prop-
erty.

SECT. 11. Sections one, two and four of chapter fifty of the revised statutes are hereby made applicable to persons or companies owning or using telephone lines, wholly or partly in the state.

Secs. 1, 2 and 4,
ch. 51, made
applicable.

SECT. 12. Every company, association or person maintaining or operating a telephone or other electrical line, or any one who in any manner affixes or causes to be affixed to the buildings, or building, of another, any structure, fixture, wire, or other apparatus, or enters upon the property of another for the purpose of affixing the same, in either case without the consent of the owner or lawful agent of the owner of such property shall, on complaint of such owner, or his tenant, be punished by fine not exceeding one hundred dollars.

Penalty for affix-
ing wire to build-
ing, etc., without
consent of owner.

SECT. 13. Such company, person or association may construct a line upon or along any railroad by the written permit

May construct
line along any
railroad, by
written permit.

CHAP. 379

—if parties cannot agree, either may apply to R. R. commissioners.

—expenses, how paid.

of the person or corporation operating such railroad, but in case such company cannot agree with the parties operating such railroad, as to constructing lines along the same, or as to the manner in which lines may be constructed upon, along or across the same, either party may apply to the railroad commissioners, who, after notice to those interested, shall hear and determine the matter and make their award in relation thereto, which shall be binding upon the parties. The expenses of the hearing shall be paid by the company, person or association seeking to construct lines on the railroad, except that if the railroad commissioners shall find that parties operating the railroad, have unreasonably refused their consent, said parties shall pay the expenses.

Approved March 6, 1886.

Chapter 379.

An Act to prevent incompetent persons from conducting the business of Apothecaries.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Business of apothecaries regulated.

SECT. 1. From and after the passage of this act, it shall not be lawful for any person, within the limits of the state, to conduct the business of an apothecary, or any part thereof, except as hereinafter provided.

Commissioners of Pharmacy, appointment of.

SECT. 2. The governor, under the advice and consent of the council, shall appoint three suitable persons to be commissioners of pharmacy, one commissioner to be appointed as the term of each of those now holding office shall expire, to hold office for the term of three years, unless removed for cause, and until a successor is appointed and qualified. If a vacancy occurs in said commission, another shall be appointed as aforesaid to fill the unexpired term thereof. Before entering on the duties of their office, the commissioners shall be sworn to faithfully and impartially discharge the same, and a record shall be made thereof on their commission.

—tenure.

—vacancies.

—to be sworn.

Powers and duties.

SECT. 3. Said commissioners shall examine any person who desires to carry on the business of an apothecary, and if he is found skilled in pharmacy, shall give him a certificate of that fact, and that he is authorized to engage in the busi-

ness of an apothecary, and such certificate must be signed by at least two commissioners. They shall register in a suitable book to be kept in the office of the secretary of state, the name and place of residence of all to whom they issue certificates, and the date thereof.

SECT. 4. Every person not now registered, unless he was engaged in the business of an apothecary on the eleventh day of March, in the year of our Lord eighteen hundred and seventy-seven, continuing in or hereafter entering on the business of an apothecary, shall be examined by said commissioners, and shall present to them satisfactory evidence that he has been an apprentice, or employed in an apothecary store where physicians' prescriptions are compounded, at least three years; or has graduated from some regularly incorporated medical college or college of pharmacy, and is competent for the business; and the commissioners may then grant him a certificate and registry as hereinbefore provided; but only one of the partners in a firm need be a registered druggist, *provided*, the partner who compounds medicines be registered. And any physician who has a diploma as the graduate of a duly established medical college, and in active practice, may do the business of an apothecary without being registered.

To examine
apothecaries
entering business

—qualifications

—certificate.

—registry.

Physicians
excepted.

SECT. 5. For each examination under the provisions of this act, the commissioners shall be entitled to receive from the persons examined ten dollars, except as hereinafter provided, which shall be in full for all services and expenses. In case the result of the examination is unsatisfactory, and no certificate is granted, the applicant shall have the right to another examination without charge after an interval of two months, and within twelve months after the date of his first examination.

Fees.

—rejected appli-
cant may be
re-examined.

SECT. 6. Certificates of two grades or kinds may be issued, whereof one shall declare that the holder is skilled in pharmacy as in section four of this act, and the other kind, which after the examination of the applicants therefor, may be issued to such as shall be not less than eighteen years of age and who have served two full years in an apothecary store where physicians' prescriptions are compounded, shall declare that the holder is a qualified assistant and is competent to take charge of the business of an apothecary, during

Certificates of
two grades may
be issued.

CHAP. 379

Sale of medicines, etc., and compounding of prescriptions unlawful, unless under control of registered apothecary.

Apothecaries already in business.

Penalty for violation of this act.

—how recovered.

Applicable to women doing business as apothecaries.

Not applicable to physicians.

Inconsistent acts repealed.

Any person may do business without certificate if he employs registered apothecary.

the temporary absence of his employer, and the fee for such assistant's examination shall be five dollars.

SECT. 7. It shall not be lawful for an apothecary store to be kept open for the sale of medicines or poisons, or for compounding physicians' prescriptions, unless the same is placed and kept under the personal control and supervision of a registered apothecary or qualified assistant who is satisfactory to the owners or heirs, may be employed to superintend the compounding of medicines.

SECT. 8. Any person engaged in the business of an apothecary on the eleventh day of March, in the year of our Lord one thousand eight hundred and seventy-seven, may receive a certificate and be registered as aforesaid on application to said commissioners, with proof of his competency.

SECT. 9. If any person who was not engaged in the business of an apothecary on the eleventh day of March, in the year of our Lord eighteen hundred and seventy-seven, shall hereafter engage in, or carry on the business of an apothecary contrary to the provisions of this act, he shall be subject to a penalty of fifty dollars per month upon conviction of the first offense; and of one hundred dollars per month upon each and every subsequent conviction, whether of continuance in said business or for engaging anew therein in violation of the provisions of this act. And it shall be the duty of the commissioners to prosecute all such cases as may be brought to their notice accompanied by testimony; the penalty to be recovered by an action of debt in the name of the county attorney in any court of competent jurisdiction, to be paid into the county treasury.

SECT. 10. The provisions of this act shall apply in the cases of women who shall hereafter enter upon and carry on the business of apothecaries.

SECT. 11. This act shall not apply in the case of physicians who prepare and dispense their own medicines, nor to the sale of proprietary preparations.

SECT. 12. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 13. Any person may enter upon the business of an apothecary without the certificate required by the foregoing act; *provided*, he does not personally do the duties of an apothecary but employs a duly registered apothecary who has

sole charge of compounding, putting up and dispensing medicines and drugs under the provisions of this act. **CHAP. 379**

SECT. 14. No action now pending by virtue of section six of chapter twenty-eight of the revised statutes shall be maintained, except as to costs, nor shall hereafter be commenced for any penalty or forfeiture incurred prior to the approval of this act.

Actions pending under sec. 6, ch. 28, not to be maintained.

—costs excepted.

SECT. 15. The word apothecary as used in this act shall not include persons who do not compound medicines, put up prescriptions or sell poisons.

Apothecary defined.

SECT. 16. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 380.

An Act to facilitate the Abolition of School Districts by towns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

When towns abolish school districts as provided in sec. 3, ch. 11, R. 8., such action may be held to include union districts, etc.

School property to be paid for.

—value, how determined.

When house in union district is not in town abolishing, how payment is made.

Districts shall not be re-established within three years after abolition.

SECT. 1. Whenever any town shall have abolished its school districts, as provided in section three of chapter eleven of the revised statutes, such action shall be held to abolish all union districts formed by said town in concurrence with other towns as provided in section seventy-one of said chapter, and all districts which may have been specially chartered by act of legislature. In case of the abolition of any such union district, when the school house belonging thereto is situate within the town abolishing, such town shall take possession of said house with all the appurtenances thereunto belonging, as in case of districts wholly within the town, but shall pay to the town or towns in which is situated the other part or parts of such district, for the benefit and use of such other part or parts, a sum equal to such portion of the value of said house and appurtenances as such part or parts shall be in equity entitled to, the same to be determined by agreement of the municipal officers of the towns out of which such union district has been formed, or in case such officers cannot so agree, by a board of referees by them agreed upon. In case the school house belonging to such union district is not within the town abolishing, said town shall pay to the inhabitants of its part of said district, by abatement upon their taxes, a sum equal to their equitable interest in such school house and appurtenances, the same to be determined by the municipal officers of said town.

SECT. 2. Whenever any town shall have abolished its school districts, such districts shall not be re-established within the three years next thereafter.

SECT. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 6, 1885.

Chapter 381.

An Act entitled "An Act amendatory to section twenty-four of chapter seventy-eight, Revised Statutes, relating to the Duties of County Commissioners."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty-four of chapter seventy-eight of the revised statutes is hereby amended by striking out the word "Cumberland," in the first line, and inserting the word 'each,' so that said section, as amended, shall read as follows, namely :

Sec. 24, ch. 78,
R. S., amended

'SECT. 24. At the end of each year, the commissioners of each county shall make a statement of its financial condition, showing in detail all moneys received into and paid out of its treasury, and such other facts and statistics, as may be necessary to exhibit the true state of its finances ; and publish in pamphlet form, a reasonable number of copies for distribution among the citizens thereof.'

Annual financial
report shall be
published.

Approved March 6, 1885.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1885.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1885.

Chapter 366.

An Act to reduce the capital stock of the Lewiston Gas Light Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Lewiston Gas Light Company is hereby authorized to decrease the capital stock of said corporation in the sum of twenty-five thousand dollars, so that the same shall be seventy-five thousand dollars.

Capital stock of
Lewiston Gas
Light Co.
reduced.

SECT. 2. For the purpose aforesaid, the said corporation is hereby authorized to purchase two hundred and fifty shares of its present capital stock, and cause the same to be cancelled.

—manner.

SECT. 3. This act shall take effect when approved.

Approved January 23, 1885 .

Chapter 367.

An Act to authorize the Maine Central Railroad Company to form steamboat connections.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Maine Central Railroad Company may purchase, hold, maintain and operate, either by itself or jointly with others, steamboats for the transportation beyond the line of its railroad, of passengers and freight coming to, or going

Maine Central
R. R. Company
authorized to
purchase steam-
boats.

CHAP. 368

—may hold stock
in any steamboat
Co.

from, its railroad; or may purchase and hold shares in the capital stock of any incorporated steamboat company, whose line connects with its railroad.

SECT. 2. This act shall take effect when approved.

Approved January 30, 1885.

Chapter 368.

An Act to extend the powers of the town of Brunswick.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Town of Brunswick authorized to raise money for public library.

SECT. 1. The town of Brunswick shall have the same power to raise and appropriate money and provide accommodation for the library of the Brunswick Public Library Association, which towns now have for the preservation, support and increase of libraries established by themselves.

Right to control not vested in town.

SECT. 2. Nothing in this act and nothing done by the town under its authority, shall give the town any right to control the library of said Association.

Approved January 31, 1885.

Chapter 369.

An Act to supply the people of Norway Village Corporation and vicinity with pure water.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. John L. Horne, S. Dexter Andrews, Freeland Howe, Albert F. Andrews, Newell A. Trafton, Charles N. Tubbs, Geo. L. Beal, Wm. H. Whitcomb, Charles L. Hathaway, Henry M. Bearce, Hermon L. Horne, Cyrus S. Tucker and William W. Whitmarsh, with their associates and successors are hereby made a corporation by the name of Norway Water Company, for the purpose of conveying to and supplying Norway Village Corporation and vicinity with pure water.

Corporate name.

May hold real estate.

SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding sixty thousand dollars.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Pennesseewassee pond, Little Pennesseewassee pond, or either of them, and all streams tributary thereto or running therefrom, in the town of Norway, county of Oxford, and is also authorized to erect and maintain reservoirs and dams, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water, and forming proper reservoirs thereof; and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands, when necessary for the purposes of this incorporation.

Authorized to take water from Pennesseewassee pond.

—to erect dams and lay pipes.

—may take land.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any person by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation, cannot mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

—liability for land and other property, taken.

—damages, how ascertained.

SECT. 5. The capital stock of said corporation shall be forty thousand dollars, which may be increased to sixty thousand dollars by a vote of said corporation, and said stock shall be divided into shares of fifty dollars each.

Capital stock.

SECT. 6. Said corporation is hereby authorized to lay down, in and through the streets and ways in said town of Norway, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as may be imposed by the selectmen of said town. And said corporation shall be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said town all sums recovered against said town for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

May lay pipes in streets of Norway.

—liability for damages.

CHAP. 369

May make contracts to supply water to town and village corporation.

SECT. 7. Said corporation is hereby authorized to make contracts with said town of Norway, Norway Village Corporation, and with other corporations and individuals for the purposes of supplying water as contemplated by said act; and said town of Norway, by its selectmen, and said Norway Village Corporation, by its assessors, are hereby authorized to enter into contracts with said company for the supply of water, and for such exemption from public burden as said town and Norway Village Corporation and said company may agree upon, which, when made, shall be legal and binding upon all parties thereto.

Authorized to cross or change direction of private sewers.

SECT. 8. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby; whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

Penalty for injuring property or corrupting water of corporation.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Pennesseewassee pond, Little Pennesseewassee pond, or any of their tributary streams, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

May issue bonds.

SECT. 10. Said corporation may issue its bonds for the construction of its works, upon such rates and times as it may deem expedient, not exceeding fifty thousand dollars,

and secure the same by mortgage of the franchise and property of said company.

SECT. 11. In case the works of this corporation shall not have been put into actual operation within four years from the date of the approval of this act, the rights and privileges herein granted shall be null and void.

Act void, if works are not in operation within four years.

SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any five corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode seven days before the time of meeting.

First meeting, how called.

SECT. 13. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 370.

An Act to incorporate the Gardiner Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. John T. Richards, Weston Lewis and Josiah S. Maxcy, with their associates and successors, are hereby made a corporation by the name of the Gardiner Water Company, for the purpose of conveying to, and of supplying the inhabitants of the city of Gardiner, and of the towns of Farmingdale and Pittston, with water for all domestic, sanitary, municipal and commercial purposes; with all the rights and privileges, and subject to all the liabilities and obligations of similar corporations, under the general laws of this state.

Corporators.

Corporate name.

—purposes.

—powers.

SECT. 2. Said corporation may take and hold, by purchase or otherwise, real and personal estate necessary and convenient for the purpose aforesaid, not exceeding two hundred and fifty thousand dollars.

May hold real and personal estate.

SECT. 3. For any of the purposes aforesaid, or for the preservation and purity of said water, said corporation is hereby authorized to take and use water from the Cobbossee Contee river, so called, to conduct and distribute the same into and through the city and towns aforesaid, to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its

Authorized to take water from Cobbossee Contee river.

—erect dams, etc.

CHAP. 370

pipes or aqueducts under or over any water course, bridge, street, railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway, or other way, in such manner as least to obstruct the same; to enter, pass over and excavate any lands, and to take and hold by purchase or otherwise, any real estate, rights of way or of water, and in general do any acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized, for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein, and said corporation may establish written regulations for the use of said water.

—cross private
lands.

Shall file plans
of location, etc.,
in Registry of
Deeds.

SECT. 4. Said corporation shall file in the Registry of Deeds, in the county of Kennebec, plans of the location of all land and water rights taken under the provisions of this act; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan, the corporation may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company.

Liability for
damages.

SECT. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, by the taking of any land, water, rights of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building dams, reservoirs, pipes and aqueducts, and for any other injuries resulting from said acts, and if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party, on petition to the County Commissioners of Kennebec County, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceedings, and right of appeal thereon, shall be had in the same manner, and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways. Failure to apply for damages

—how ascer-
tained.

within said twelve months shall be held to be a waiver of the same.

SECT. 6. Said corporation is hereby authorized to lay down and maintain in and through the streets and ways of the city and towns aforesaid, all such pipes, aqueducts and fixtures as may be necessary for the purposes hereinbefore specified. Said city and towns are hereby authorized to contract with said corporation for a supply of said water, for fire or other purposes, for a term of years, and at the expiration of said contract, to renew or change the same.

May lay down
pipes in public
streets.

—contract to
supply water.

SECT. 7. The capital stock of said corporation shall not exceed two hundred and fifty thousand dollars. Manufacturing and other corporations doing business in said city or towns, are hereby authorized to subscribe for, and to hold stock of said Gardiner Water Company.

Capital stock.

SECT. 8. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last and usual place of abode, seven days, at least, before the time of meeting.

First meeting.

SECT. 9. Said corporation is hereby authorized to issue bonds, not exceeding in amount one-half of its capital stock, the same to be a first lien upon its franchise and property.

Authorized to
issue bonds.

SECT. 10. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 371.

An Act to authorize the Eastern Maine Railway Company to reduce the amount of its capital stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The Eastern Maine Railway Company is hereby authorized to reduce the amount of its capital stock to the sum of two hundred thousand dollars, and to issue new certificates of stock upon that basis in exchange for the present outstanding certificates, *provided*, such reduction be voted for by three-quarters of the stock represented at a stockholders' meeting called for that purpose.

Eastern Maine
Railway Co.,
authorized to
reduce capital
stock.

Approved January 31, 1885.

CHAP. 372**Chapter 372.**

An Act to make valid the doings of the town of Oldtown.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of the town of Oldtown, legalized.

SECT. 1. The doings of the inhabitants of the town of Oldtown at any and all meetings of said inhabitants holden prior to the passage of this act, in relation to determining the number and limits of school districts in said town and establishing new school districts therein, and in relation to altering the limits of any and either of said school districts, are hereby made legal and valid.

SECT. 2. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 373.

An Act to make valid the doings of the town of Concord.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of the town of Concord, legalized.

SECT. 1. The acts and doings of the town of Concord from the year eighteen hundred and seventy eight up to and including the year eighteen hundred and eighty-four are hereby legalized and made valid.

SECT. 2. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 374.

An Act to change the name of the West Waterville Savings Bank.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name of West Waterville Savings Bank, changed.

SECT. 1. The name of the West Waterville Savings Bank, a corporation located and doing business in the town of Oakland, in the county of Kennebec, is hereby changed to Cascade Savings Bank.

SECT. 2. All the debts, liabilities, rights, privileges, and powers of the said West Waterville Savings Bank shall devolve upon the Cascade Savings Bank, whenever such change of name is effected.

Liabilities, etc.,
devolved upon
Cascade Savings
Bank.

SECT. 3. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 375.

An Act to legalize the acts and doings of the Assessors of Dyer Brook Plantation, in the county of Aroostook

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The acts and doings of the assessors of Dyer Brook Plantation, in the county of Aroostook, in the assessment of taxes in said plantation, from the year eighteen hundred and eighty, to the year eighteen hundred and eighty-four inclusive, are hereby legalized and made valid.

Doings of assess-
ors of Dyer
Brook plantation,
legalized.

SECT. 2. This act shall take effect when approved.

Approved January 31, 1885.

Chapter 376.

An Act to amend an act, entitled "An Act to incorporate the East Branch Dam Company," approved April twenty-six, eighteen hundred and fifty-two.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section four of an act entitled "An Act to incorporate the the East Branch Dam Company" approved April twenty-six, eighteen hundred and fifty-two, is amended by striking out the words "twelve and a half" in the second line, and inserting instead thereof the word 'twenty,' and by inserting after the word "dam" and before the word "and" in the fourth line of said section the words 'and for lumber cut in short lengths, for stave or pulp material or similar purposes passing over the works and improvements of said corporation, a toll of ten cents per cord is hereby established,' so that said section as amended shall read as follows : namely—

Charter of East
Branch Dam Co.,
amended.

CHAP. 377

Toll.

—lien for pay-
ment of.—lumber may be
sold for payment.

'SECT. 4. A toll is hereby granted for the use of said corporation of twenty cents for each and every thousand feet, board measure, of logs and other lumber, woods scale, which passes through and over said Grand Lake dam, and for lumber cut in short lengths for stave or pulp material or similar purposes passing over the works and improvements of said corporation, a toll of ten cents per cord is hereby established, and the corporation shall have a lien on all such logs or lumber as security for the payment of said toll; and if the same be not paid within ten days after the arrival of said logs or lumber within the limits of the Penobscot Boom, the corporation may advertise the sale of so much of said logs or lumber as may be necessary to pay said toll and expenses, in one of the newspapers printed in Bangor, the publication to be at least ten days before the day appointed for the sale, and if the payment be not made before the time appointed, may proceed to sell so much of said logs or lumber, as may be required to pay said toll and expenses.'

SECT. 2. This act shall take effect when approved.

Approved February 2, 1885.

Chapter 377.

An Act to authorize the town of Bucksport to retire or exchange its bonded indebtedness, and to issue new bonds for that purpose.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Town of Bucks-
port authorized
to retire its
bonded debt.

—proviso.

Authorized to
pass votes and
make contracts.

SECT. 1. The town of Bucksport is hereby authorized to retire, by purchase or exchange, at the option and with the consent of the holder, its bonded indebtedness, either at or before the maturity thereof, and for this purpose to issue new bonds, in such form and amount, and with such rates of interest, and payable at such times and in such manner, as shall be determined by a majority vote of the legal voters of said town; *provided, however*, that nothing herein contained shall authorize any increase in the indebtedness of said town.

SECT. 2. To carry into effect the provisions and purposes of this act, said town is hereby authorized to pass such votes

as may be deemed necessary and proper; to enter into and make any contract or agreement not inconsistent with the laws of this state. CHAP. 378

SECT. 3. This act shall take effect when approved.

Approved February 2, 1885.

Chapter 378.

An Act to confirm and make valid the organization and doings of the proprietors of the Westbrook Social Library.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The organization of the proprietors of the Westbrook Social Library, a corporation located in Sacca-rappa, in the town of Westbrook, and their doings at their annual meeting on the sixteenth day of January, eighteen hundred and eighty-four, are hereby confirmed and declared legal and valid. Doings of West-
brook Social
Library, made
valid.

SECT. 2. Said corporation may take and hold by purchase, gift, devise, or bequest, personal or real estate, in all not exceeding in value one hundred thousand dollars, owned at any one time, and may use and dispose thereof only for the purposes for which the corporation was organized. May hold real-
estate.

SECT. 3. The town of Westbrook, whenever a town-hall shall be erected therein, may provide a room or rooms, for the accommodation of said corporation on such terms as may be agreed upon between the selectmen of said town and the directors of said corporation. Town of West-
brook may pro-
vide rooms.

SECT. 4. This act shall take effect when approved.

Approved February 5, 1885.

CAHP. 379

Chapter 379.

An Act additional to chapter seventy-five of the Private and Special Laws of eighteen hundred and sixty-six entitled "An Act creating the South Paris Village Corporation."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

South Paris Village Corporation authorized to acquire a public park.

SECT. 1. The South Paris Village Corporation is hereby authorized and empowered to receive and expend any sums of money donated or bequeathed said corporation for the acquisition or preparation of a public park.

May purchase land for such purpose.

SECT. 2. Said corporation is also empowered with such funds to acquire by purchase and hold the title to such lot of land within the limits of said corporation as may be deemed suitable for such purpose.

—may raise money.

SECT. 3. Said corporation is hereby invested with power at any legal meeting called for that purpose to raise such sum of money as may be sufficient for the proper fitting up and care of said park.

SECT. 4. This act shall take effect when approved.

Approved February 5, 1885.

Chapter 380.

An Act in addition to and amendatory of chapter three hundred and seventy-six of the Private and Special Laws of eighteen hundred and seventy-seven, entitled "An Act to incorporate the Bryants Pond and Andover Telegraph Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Bryants Pond & Andover Telegraph Co., authorized to use line as a telephone line.

SECT. 1. The Bryants Pond and Andover Telegraph Company is hereby authorized to use their telegraph line as a telephone line also.

May cross private lands.

SECT. 2. Said company may straighten said line by building the same across land not embraced within the limits of the highway, *provided*, consent thereto in writing is first obtained from the owner or owners of said land.

—proviso.

Approved February 5, 1885.

Chapter 381.

An Act additional to and amendatory of "An Act to incorporate the Cedar Brook and Swift Cambridge River Improvement Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section three of the special laws of eighteen hundred and seventy-five, entitled, "An Act to incorporate the Cedar Brook and Swift Cambridge River Improvement Company" is amended by striking out the words, "three cents per log," in the third and fourth lines, and inserting instead, the words 'thirty cents for each and every thousand feet thereof, board measure, according to the woods scale,' so that the section as amended will read as follows :

Sec. 3, Special Laws, 1875, amended.

'SECT. 3. The said corporation may demand and receive as a toll for all logs that may be driven or float down said streams into the town of Upton, in said Oxford county, the sum of thirty cents for each and every thousand feet thereof, board measure, according to the woods scale; and a lien is hereby created upon said logs, to continue for three months after the same shall have passed down said streams into the town of Upton aforesaid, and to be enforced by attachment.'

Tolls.

—lien for payment.

SECT. 2. Section four of said act is amended by striking out all the words following the word "corporation," in said section, and inserting instead, the words 'and also its receipts for tolls, which shall be open for inspection at all reasonable times to any person interested in the same,' so that the section when amended will read as follows :

Sec. 4, amended.

'SECT. 4. An account of the costs of said improvements shall be kept by the clerk or treasurer of said corporation, and also its receipts for tolls, which shall be open for inspection at all reasonable times to any person interested in the same.'

Shall keep an account of receipts and expenditures.

SECT. 3. The capital stock of said corporation shall be divided into fifty equal shares, and any person owning timber lands from which the timber can be hauled into said streams shall have a right, at any time within thirty days after the re-organization of this company by the subscribers for the shares thereof, to become a stockholder in this company, and to take the number of shares bearing the same proportion to the whole that the quantity of such land as he owns, bears

Capital stock.

CHAP. 382

to all the land from which the timber can be conveniently hauled into said streams, paying therefor his proportional part of the money already expended by this company in improving said streams.

First meeting,
how called.

SECT. 4. When the capital stock has been subscribed for, the clerk of this corporation is hereby authorized to call a meeting of the share-holders by giving them seven days' notice in writing, and said share-holders may then re-organize said company and adopt a code of by-laws.

Inconsistent acts
repealed.

SECT. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 6. This act shall take effect when approved.

Approved February 5, 1885.

Chapter 382.

An Act to change the name of Annie Dyer.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name changed.

That the name of Annie Dyer, adopted daughter of Edwin H. and Jane M. Thompson, of Brunswick, be, and is hereby changed to Emma Sewall Thompson.

Approved February 5, 1885.

Chapter 383.

An Act to amend "An Act to incorporate the Passadumkeag Log Driving Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter of Passa-
dumkeag Log
Driving Co.,
amended.

SECT. 1. Section two of "An Act to incorporate the Passadumkeag Log Driving Company," approved February seventeen, eighteen hundred and eighty-three, is hereby amended by adding to the section, the words 'and between the Grand Falls and Suponic pond,' so that the limits of said company shall be from Grand Falls and the dam at foot of Nickatous lake, and between Grand Falls and Suponic pond.

Limits.

SECT. 2. This act shall take effect when approved.

Approved February 5, 1885.

Chapter 384.

An Act to incorporate the City of Brunswick.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The inhabitants of the town of Brunswick, in the county of Cumberland, shall continue to be a body politic and corporate by the name of the city of Brunswick, and as such, shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to or incumbent upon said town as a municipal corporation, or appertaining to or incumbent upon the inhabitants or selectmen thereof; and may ordain and publish such acts, laws and regulations, not inconsistent with the constitution and laws of this state, as shall be needful to the good order of said body politic; and impose fines and penalties for the breach thereof not exceeding twenty dollars for any one offense, which may be recovered to the use of said city, by action of debt, or on complaint before the municipal court in said city.

Corporate name.

Rights, powers and privileges.

—may ordain laws and regulations.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, to be styled the mayor; and one council of seven, to be denominated the board of aldermen; all of whom shall be inhabitants of said city; all of whom shall be sworn to the faithful performance of the duties of their respective offices; *provided*, the board of aldermen shall not vote, assess or appropriate any money for any object or purpose for which the town of Brunswick is not authorized to vote, assess, and appropriate money, except for such purposes as are authorized by this act. And *provided, further*, that neither the board of aldermen nor any agent or officer for the city shall borrow or hire money for or on account of the city or inhabitants thereof, except for the purposes for which the town of Brunswick is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders given by the city council or any officer or agent thereof, for money or property obtained for any other purpose, shall be void except those negotiable and in the hands of a bona-fide holder for value.

Municipal affairs vested in mayor and aldermen.

—proviso.

Authority of officers to borrow money, limited.

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Duties and powers of mayor.

Special meetings of aldermen.

Salary of mayor, fixed.

—proviso.

Aldermen not to receive compensation.

Powers vested in mayor and aldermen.

Duties of aldermen.

Election, duties and compensation of subordinate officers.

SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. He shall be vigilant in causing the laws and regulations of the city to be executed, and exercise a general supervision over the conduct of all subordinate officers, and cause their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen when, in his opinion, the interest of the city requires it, by a notice in one or more of the papers printed in the city, or by causing a summons or notification to be given in hand or left at the usual dwelling place of each member of the board to be convened. He shall, from time to time, communicate to the board of aldermen such information and recommend such measures as the business and interests of the city may, in his opinion, require. He shall preside in the board of aldermen, but shall have only a casting vote. The salary of the mayor shall be two hundred dollars per year, which shall not be increased or diminished during his continuance in office, unless by the vote of the qualified electors in ward meetings called for that purpose; nor shall he receive from the city any other compensation for any services by him rendered in any capacity or agency; *provided, however*, the board of aldermen may elect the mayor to any city office, and allow him a reasonable compensation for services rendered in such office; but the aldermen shall not receive any salary or compensation for any services by them performed as such, nor shall they be eligible to any other city office.

SECT. 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Brunswick, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers now vested in the inhabitants of said town, and all powers granted by this act, shall be vested in the mayor and aldermen of said city. The board of aldermen shall, annually, on the third Monday in March, or as soon thereafter as may be convenient, elect, and appoint for the ensuing year, all the subordinate officers and agents for the city, including a chief engineer, and other necessary engineers of the fire department, which chief engineer, and, in his absence, the subordinate engineers, shall have all the power and authority that firewards now have;

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shall define their duties, fix their compensation, and may, by vote, remove officers when, in their opinion, sufficient cause for their removal exists. All officers shall be chosen and vacancies supplied, for the current year, except as herein otherwise provided. All the said subordinate officers and agents shall hold their offices during the ensuing year, and till others shall be elected and qualified in their stead, unless sooner removed by the board of aldermen; and all moneys received and collected for and on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury. The board of aldermen shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalties and sureties, from all persons trusted with the receipt or custody of the public money; shall have the care and superintendence of the city public buildings, and the custody and management of all the city property, with powers to let or sell what may be legally let or sold; and to purchase, in the name of the city, such real or personal property, not exceeding the sum of one hundred thousand dollars, including the property now owned by the town, as they may deem of public utility. And the board of aldermen shall, as often as once a year, cause to be published for the information of the inhabitants, an account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the treasury unless the same be appropriated by the board of aldermen, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn. Neither the mayor nor any alderman shall be elected or appointed during his official term to any other office under the city government, or as agent of the city for any purpose.

SECT. 5. Every law, act, ordinance or bill appropriating money, having passed the board of aldermen, shall be presented to the mayor, and if he approve the same, he shall sign it; if not, he shall return it within seven days with his objections, to the board of aldermen, which shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If upon such reconsideration, a majority of the whole number of the board of

—may be removed for cause.

—term of office.

All moneys to be paid into city treasury.

Payment of money from the treasury, how made.

Custody of public buildings and property.

Account of receipts and expenditures shall be published annually.

Mayor to sign warrants for payment of money.

Laws, etc., to be approved by mayor.

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aldermen shall agree to pass it, it shall have the same effect as if signed by the mayor.

Assessors, their appointment, powers, duties and liabilities.

SECT. 6. City assessors shall be annually appointed by the board of aldermen, who shall exercise and be subject to the same powers, duties and liabilities that the assessors in the several towns in this state may exercise and be subject to under existing laws; *provided, however*, that the board of aldermen may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property taxable in his ward, and who shall be sworn to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes; *provided, however*, that it shall be lawful for the board of aldermen to establish further and additional provisions for the collection thereof.

Proviso.

Assessment and collection of taxes.

Aldermen authorized exclusively to lay out streets.

SECT. 7. The board of aldermen shall have exclusive power and authority to lay out any new street or public way, or widen or otherwise alter or discontinue any street or way in said city, and to estimate the damage any person may sustain thereby, and shall in all other respects be governed by, and be subject to, such rules and restrictions as are by law provided in this state for regulating the laying out of public highways and repairing streets. And any person aggrieved by the decision or judgment of said board of aldermen, may, as far as relates to damages, have them assessed by a committee or jury, as is now by law provided; and any highway or town way, or bridge which has been, or may hereafter be located within said town or city, shall, nevertheless, be deemed to be legally located and established, *provided*, that the county commissioners of Cumberland county, shall have power to lay out, widen, or otherwise alter or discontinue, within said city any part of any county road that has been or shall be by them laid out in any adjoining town or towns, and passing thence into or through said city, according to the provisions of law; and any such county road, which has been so laid out, altered, widened, or discontinued within the limits of said city, shall be deemed to be legally laid out, altered, widened, or discontinued, reserving, however, in all cases where the proceedings have not been fully closed and recorded, to all persons whose land has

Remedy in cases of grievance.

Power of county commissioners to lay out and alter roads.

been taken, the same rights, and the same time after the passage of this act, that they would have had if the proceedings had been legal, to petition for an increase of damages, and the same may be determined in the manner now provided by law in other cases.

SECT. 8. The board of aldermen may, by a committee by them appointed, or by instructions to the commissioners of streets, appropriate, set off and reserve as side-walks, such part of the several streets in said city, now or hereafter to be established, as to said board of aldermen may appear necessary for the safety, convenience and accommodation of foot passengers. The board of aldermen may permit or direct posts of stone, or wood, or trees to be placed along the edge of said side-walk next to the traveled part of the street, in such number and manner as they may deem necessary to protect said side-walks and the persons traveling thereon from damage or inconvenience from teams or carriages. So much of the several streets in said city as shall be appropriated and reserved as side-walks, agreeably to the provisions of this act, shall be taken and deemed to be reserved exclusively for the accommodation, convenience and use of persons traveling on foot; and said city shall not be liable to damages for any injury done or occasioned in consequence of any cart, carriages, wagon, or other vehicle, or any team or animal striking against any of said side-walks or the posts or trees set or placed to defend the same. The several side-walks on the streets in said city, as at present established and used, shall be taken and deemed to be the proper and lawful reservation for that purpose, until altered or otherwise established by the proper authority.

Portions of streets reserved as side-walks.

Stone posts, etc., may be placed along the edge of side-walks.

—liability of city for damages occasioned by.

SECT. 9. The board of aldermen shall have power, on such terms and conditions as they may think proper, to authorize any person or corporation to place in any street, for such time as may be necessary, any materials for making or repairing any street, side-walk, cross-walk, bridge, water-course or drain, or for erecting, repairing or finishing any building or fences, *provided*, that no more than one-third of the width of the street shall so be occupied; and such materials so placed by virtue of any license obtained as aforesaid, shall not be considered an incumbrance or nuisance in such street, and the city, or person or corporation so

Aldermen may authorize placing of materials in streets for repair of same.

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—liability for
damages caused
thereby.

Town regulations
to remain in
force till repealed,
etc.

placing the same, shall not be liable for any damages occasioned by such materials.

SECT. 10. All the laws and regulations now in force in said town shall, notwithstanding this act, be and remain in force until they expire by their own limitations, or be revised or repealed by the board of aldermen; and prosecutions and suits may be commenced and proceeded thereon in the name of the city, by officers or other persons thereby empowered or directed to prosecute and sue; and the fines and penalties shall go to the uses in such laws or regulations named, and according to law.

Wards.

SECT. 11. For the purpose of holding elections, said city shall, after the first election, be divided into not less than five nor more than seven wards, to contain, as near as conveniently may be, an equal number of inhabitants; and it shall be the duty of the board of aldermen, once in ten years, and not oftener than five years, to review, and if it be needful, to alter said wards, in such manner as to preserve as nearly as may be, an equal number of inhabitants in each ward. In each of said wards there shall, annually, on the first Monday of March, be chosen by ballot, a warden and clerk, who shall hold their offices until Tuesday next after the first Monday of March of the succeeding year, and until others have been chosen and qualified in their stead. Said warden and clerk shall be sworn to the faithful performance of their duty, by any justice of the peace, or by the person presiding in said meeting, or by the clerk of said ward, and a certificate of such oath having been administered shall be entered by the clerk on the records of said ward. The wardens shall preside at all ward meetings, with the powers of moderators of town meetings, and if at any meeting the warden shall not be present, the clerk of the ward shall call the meeting to order, and preside till a warden pro tem. shall be chosen. If neither the warden nor clerk shall be present, any legal voter in the ward may preside till a clerk pro tem. shall be chosen and qualified. The clerk shall record all the proceedings, and certify the votes given, and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. The

Warden and
clerk, how chosen.

Wardens shall
preside at ward
meetings.

Duties of clerk.

list of the names of the legal voters in each ward shall be prepared by the assessors and board of aldermen, assisted by the wardens, in the same manner and under the same restrictions as are imposed by the laws of this state on the assessors and selectmen of towns; and all regular ward meetings shall be notified and called by the mayor and aldermen in the manner provided in the laws of this state for notifying and calling town meetings by the selectmen of the several towns, excepting that ward meetings for the election of mayor, after the second trial, may be called within the time provided in such cases in this act.

Lists of voters,
how prepared.

SECT. 12. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman shall be elected by each ward, being a resident in the ward where elected. All said officers shall be elected by ballot, by a majority of the votes given, and shall hold their offices one year from the third Monday in March, and until others shall be elected in their places; *provided, however*, that if the city shall be divided into less than seven wards, then one or two, as the case may be, of the aldermen shall be elected at large by the inhabitants of the city, the whole number of aldermen in no case to be more than seven, as provided in section two of this act.

Election of
mayor.

—aldermen.

Tenure of office.

SECT. 13. The mayor and aldermen shall appoint a city marshal in the manner provided in section four of this act, who shall have all the powers and exercise all the duties that now appertain to constables of towns, and who shall be chief of the city police, and as such may enforce such ordinances and regulations under the direction of the mayor as may be adopted by the board of aldermen for the government of the city of Brunswick.

City marshal.
appointment,
powers and duties
of

SECT. 14. On the first Monday of March, annually, the qualified electors of each ward shall ballot for a mayor, one alderman, warden and clerk; all the votes given for the said several officers respectively shall be sorted, counted, declared and registered in open ward meeting by causing the names of persons voted for and the number of votes given for each to be written on the ward record at length. The ward clerk, within twenty-four hours after such election, shall deliver to the person elected alderman a certificate of his election, and shall forthwith deliver to the city clerk a certified copy of

Annual elections
and proceedings.

Ward clerks to
notify aldermen
of election.

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—proviso.

—elections at subsequent meetings, how determined.

—mayor to be notified of election.

—proceedings if mayor is not elected at first meeting.

—vacancy in office of mayor, how filled.

—oaths.

Duties of city clerk.

the record of such election; *provided, however*, that if the choice of an alderman cannot conveniently be effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second balloting for any alderman, warden or clerk, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial shall be declared elected; if no one shall then have such highest number, the balloting shall be continued from day to day until a choice is thus effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been elected mayor, by a majority of votes given in all the wards, to be notified in writing of his election; but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrants for another election; and in case the citizens should fail on a second ballot to elect a mayor, the said board shall again issue their warrants for a third election, to be held not less than three nor more than seven days thereafter, at which election the candidate having the greatest number of votes shall be declared elected and notified as aforesaid; if no one shall then have such number, further elections shall, in the same manner be ordered, till a choice shall be made by some one having the highest number of votes; and in case of a vacancy in the office of mayor, by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election in the manner hereinbefore provided for the choice of said officer; and in the meantime the president, pro tempore, of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor by the city clerk or any justice of the peace. The aldermen shall, on the third Monday of March, at ten o'clock in the forenoon, meet in convention, when the oath required by the second section of this act shall be administered to the members of the board of aldermen present, by the mayor or any justice of the peace.

SECT. 15. The city clerk shall be the clerk of the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen, and shall perform all duties,

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and exercise all the powers, by law incumbent upon or vested in the town clerk of the town of Brunswick; he shall give notice in one or more of the papers printed in said city, of the time and place of regular ward meetings; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president pro tempore, who shall preside at meetings of the board. The board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election, or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business shall consist of a majority of the members thereof; all meetings of the aldermen shall be open and public, and the presiding officer shall have the power of moderators of town meetings. At any meeting, when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.

Ward meetings.

President, pro tem.

Record of proceedings of aldermen.

Quorum.

Power of presiding officer.

SECT. 16. For the purpose of organizing the system of government hereby established, and putting the same in operation in the first instance, the select men of the town for the time being, shall seasonably, before the third Monday of March, next after the acceptance of this charter, issue their warrant for calling a meeting of the citizens at such place and hour upon said day as they shall think expedient, for the purpose of choosing a mayor and seven aldermen, to be taken from the city at large; and in case said elections shall not be completed at the first election, then to issue a new warrant until such election shall be completed; and the town clerk, for the time being, shall give notice thereof to the several persons elected; and it shall be the duty of the board of aldermen, immediately after their first organization, to elect by ballot a city clerk, and all other necessary city officers, who shall hold their offices respectively until others are chosen and qualified in their places, and it shall be the duty of the mayor and aldermen first elected at large, as soon as may be, after their organization, to cause a division of said city to be made into not less than five, nor more than seven wards, in such manner as to include as nearly as conveniently may be, consistently with well defined limits to each ward, an equal number of inhabitants in each ward. And at the first meet-

Proceedings for organising city government.

—new warrant to issue in case election is not completed.

—election of city officers.

Division into wards.

Who may call first meeting to order.

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ing after such division into wards, any inhabitant of said wards, being a legal voter, may call the citizens to order and preside until a warden shall have been chosen; and at said first meeting, a list of voters in each ward, prepared and corrected by the board of aldermen, shall be delivered to the clerk of each ward when elected, to be used as provided by the laws in town meetings.

Aldermen to
make regulations
for sale of wood
and bark.

SECT. 17. The board of aldermen shall have authority to establish and make regulations for the measurement and sale of wood and bark in said city, whether brought by teams or railroad, and may affix suitable penalties for the violations thereof, anything in the public laws of the state to the contrary notwithstanding.

—erection of
wooden buildings.

SECT. 18. The board of aldermen are hereby authorized and empowered to pass any ordinance or ordinances regulating or forbidding the erection of wooden buildings on any street or streets in said city, when they may deem it necessary or conducive to the public safety.

—use of carts,
etc.

SECT. 19. The board of aldermen may make and establish such ordinances or regulations as they may deem for the public good for the regulation of carts, drays or other teams in said city, and prescribing the width of tire that shall be used.

All powers relat-
ing to school dis-
tricts, vested in
aldermen.

SECT. 20. All the power and authority vested in the inhabitants of any school district in the city of Brunswick, by virtue of chapter eleven of the revised statutes relating to the education of youth, shall be, and the same is hereby, invested in the board of aldermen of the city as aforesaid.

When act takes
effect.

SECT. 21. This act shall take effect and be in full force when the same shall have been accepted by the inhabitants of said town qualified to vote in town affairs, at a legal meeting called for that purpose, *provided*, it shall be accepted within five years from the passage of this act; but no more than one meeting for that purpose shall be called in any one year. And at such meeting the inhabitants of said town shall vote by a written ballot, those in favor of accepting this act having on the ballot the word 'yes,' and those opposed having on the ballot the word 'no;' and if a majority of all the ballots received are in favor of accepting the same, it shall then become a law and take effect. And it shall be the duty of the clerk of said town to file a copy of the record of the vote of said

Proceedings at
meeting for
acceptance of
charter.

town accepting the same, with the clerk of the city of Brunswick, when elected, who shall transcribe such copy into the records of the city, and such record shall be conclusive evidence that this act has been accepted.

SECT. 22. All acts and parts of acts inconsistent with this act are hereby repealed from and after the time when this act shall have been accepted as aforesaid, and the government shall have been organized as herein provided.

Inconsistent
acts repealed.

SECT. 23. When the organization of the government shall be perfected as aforesaid, the title to all property of the town of Brunswick shall be transferred and vested in the city of Brunswick without any conveyance or ceremony.

Title to property
of town, vested
in the city.

SECT. 24. Nothing in this act shall affect the village school district of Brunswick; and all its rights and relations with and against said town shall be continued with and against the city; and the city is authorized, by its proper officers to do all things which the town might do for the benefit of said district; and the district, at its legal meeting called for the purpose, may change its name by major vote without impairing any rights which it may have by contract or otherwise, and subject to all its then existing duties and responsibilities.

Rights of the
village school
district not
affected.

SECT. 25. When the city of Brunswick shall be duly constituted, the title of the municipal court for said town shall be changed to the municipal court for the city of Brunswick; and said court shall remain otherwise unaffected by this act; and all the duties which the town owes to said court, shall be due to it from the city.

Municipal court.

Chapter 385.

An Act to increase the capital stock of the Merchants' Marine Railway Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Authorized to hold real estate and increase capital stock.

The Merchants' Marine Railway Company is hereby authorized to hold real and personal estate to an amount not exceeding forty thousand dollars, and may increase its capital stock to an amount not exceeding said sum.

Approved February 7, 1885.

Chapter 386.

An Act relating to drains and common sewers in the town of Brewer.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Expense of construction, how estimated and assessed.

SECT. 1. It shall be the duty of the municipal officers of the town of Brewer, when said town has constructed and completed any public drain or common sewer, to determine what lots or parcels of land are benefited by such drain or sewer, and to estimate and assess upon such lots and parcels of land, and against the owners thereof if known, whether the same is occupied or not, such sum not exceeding such benefit as they may deem just and equitable, towards defraying the expenses of constructing and completing such drain or sewer, the whole of such assessments not to exceed three-fourths of the cost of such drain or sewer, and such drain or sewer shall forever thereafter be maintained and kept in repair by said town. Such municipal officers shall file with the clerk of said town the location and description of such drain or sewer, with the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of such lots or parcels of land, if known, and the clerk of said town shall record the same in a book kept for that purpose, and within ten days after filing such notice, each person so assessed shall be notified of such assessment by having an authentic copy of said assessment, with an order of notice, signed by the clerk of said town, stating the time and place for a hearing upon the subject matter of said assessments, given to each person so assessed,

Location of drain, etc., to be recorded.

Notice of assessment and hearing thereon, how given.

or left at his usual place of abode in said town; if he has no place of abode in said town, then such notice shall be given to or left at the abode of his tenant or lessee, if he has one in said town; if he has no such tenant or lessee in said town, then by posting the same notice in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least thirty days before said hearing; or such notice may be given by publishing the same three weeks successively in any newspaper published in the county where said town is situated, the first publication to be at least thirty days before said hearing; a return made upon a copy of such notice by any constable in said town, or the production of the paper containing such notice, shall be conclusive evidence that said notice has been given, and upon such hearing the municipal officers shall have power to revise, increase or diminish any of such assessments, and all such revisions, increase or diminution, shall be in writing and recorded by such clerk.

Assessments may be revised.

SECT. 2. Any person not satisfied with the amount for which he is assessed may within ten days after such hearing, by request, in writing, given to such clerk, have the assessment upon his lot or parcel of land determined by arbitration. The municipal officers shall nominate six persons who are residents of said town, two of whom selected by the applicant, with a third resident person selected by such applicant, may fix the sum to be paid by him, and the report of such referees, made to the clerk of said town and recorded by him, shall be final and binding upon all parties. Said reference shall be had and their report made to said clerk within thirty days from the time of hearing before such municipal officers named in section one of this act.

—may be determined by arbitration.

SECT. 3. Any person may enter his private drain into any such public drain or common sewer, while the same is under construction, and before the same is completed, and before the assessments are made, on obtaining a permit, in writing, from the selectmen, or the committee having the construction of the same in charge; but after the same is completed and the assessments made, no person shall enter his private drain into the same until he has paid his assessment, and obtained a permit, in writing, from the selectmen. All permits given to enter any such drain or sewer shall be recorded by the town clerk of said town, before the same are issued.

Conditions upon which private drains may be entered into public sewers.

—permits shall be recorded.

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Lien for pay-
ment of
assessments.

Lots may be sold
for non-payment
of assessments.

—may be
redeemed upon
payment of
assessments.

Actions may be
maintained by
town for assess-
ments.

SECT. 4. All assessments made under the provisions of this act, shall create a lien upon every lot or parcel of land so assessed, and the buildings upon the same, which lien shall continue one year after said assessments are made; and within ten days after they are made, the clerk of said town shall make out a list of all such assessments, the amount of each assessment, and the name of the person, if known, against whom the same is assessed, to be by him certified; and he shall deliver the same to the treasurer of said town, and if said assessments are not paid within three months from the date of said assessments, then the treasurer shall proceed and sell such of said lots or parcels of land upon which such assessments remain unpaid, or so much thereof, at public auction, as is necessary to pay such assessments and all costs and incidental charges; he shall advertise and sell the same in the same way and manner that real estate is advertised and sold for taxes under chapter six of the revised statutes, which sale shall be made within one year from the time said assessments are made; and upon such sale, the treasurer shall make, execute and deliver his deed to the purchaser thereof, which shall be good and effectual to pass the title of such real estate; the sum for which such sale shall be made, shall be the amount of the assessment and all costs and incidental expenses.

SECT. 5. Any person to whom the right by law belongs, may, at any time within one year from the date of said sale, redeem such real estate, by paying to the purchaser of his assigns the sum for which the same was sold, with interest thereon, at the rate of twenty per cent per annum, and the costs of re-conveyance.

SECT. 6. If said assessments are not paid, and said town does not proceed to collect said assessments by sale of the lots or parcels of land upon which such assessments are made, or does not collect, or is in any manner delayed or defeated in collecting such assessments by a sale of the real estate so assessed, then the said town, in the name of the inhabitants of said town, may sue for and maintain an action against the parties so assessed for the amount of said assessments, as for money paid, laid out and expended, in any court competent to try the same, and in such suit may

recover the amount of such assessment, with twelve per cent interest on the same from the date of said assessment, and costs.

SECT. 7. This act shall take effect when approved.

Approved February 7, 1885.

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Chapter 387.

An Act additional in reference to the Rumford Falls and Buckfield Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The first section of the act passed in the year of our Lord, one thousand eight hundred and seventy-four, entitled "an act to incorporate the Rumford Falls and Buckfield Railroad Company" is amended in that part of said section which describes the line of said railroad, by inserting after the word "Mexico" the words 'or Rumford,' and also by adding after the words "Rumford Falls" the words 'also through the towns of Andover, Roxbury or Byron;' and the first section of the act of the year of our Lord one thousand eight hundred and seventy-nine, entitled "An Act additional to an act to incorporate the Rumford Falls and Buckfield Railroad Company," is amended by inserting in place of the words "eighteen hundred and eighty-five" the words 'eighteen hundred and eighty-nine.'

Sec. 1 of the act to incorporate the Rumford Falls & Buckfield R. R., amended.

SECT. 2. For the purpose of extending the railroad of said corporation as authorized herein and in previous acts relating thereto, said corporation is permitted to increase its capital stock to the amount of three hundred thousand dollars in addition to the capital stock heretofore authorized.

Authorized to increase capital stock.

SECT. 3. Said corporation is also authorized to issue preferred stock for the purpose of exchanging the same for all or any part of its present or future indebtedness, including receivers' certificates, such exchange to be at a rate of not more than one dollar in stock for each dollar of such indebtedness exchanged, including receivers' certificates. Said corporation may make such provisions as it deems proper in reference to the voting power of the holders of any of such stock, and also in reference to guaranteeing the payment of

—to issue preferred stock.

—may regulate voting powers of holders of stock.

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Security for
payment of
dividends.

dividends upon said stock, not, however, to exceed the rate of three per cent semi-annually; and for that purpose may provide that the whole or any part of such indebtedness, or receivers' certificates exchanged as aforesaid, shall be deposited in trust or in some other way, perpetually or for such length of time as may be determined, as security for the payment of the dividends so guaranteed, but no change shall be made in any such provisions which may impair the value of such preferred stock issued before such change was made, without the written consent of all the holders of all such stock.

Approved February 10, 1885.

Chapter 388.

An Act to incorporate the Frost Brook Dam Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.

SECT. 1. Charles H. Davis, Joseph F. Smith, John F. Whitcomb, Charles H. Haynes, Frederick E. Hartshorn and Ambrose W. Ellis, their heirs, associates and assigns, are hereby created a corporate body by the name of the Frost Brook Dam Company, with all the rights and privileges of similar corporations.

Corporate name.

May erect dam.

SECT. 2. Said company may erect and maintain a dam on Frost brook, on their own land, in the town of Mariaville, on the site where their dam now is, for the purpose of raising a head of water to drive logs and other lumber and wood.

Tolls.

SECT. 3. Said company may demand and receive as a toll, the sum of twenty cents for every thousand feet of logs, board measure, woods scale, and fifteen cents per cord, woods measure, on all stave, shingle or other wood which may pass over said dam, and the said company shall have a lien on logs, stave-wood, or other wood which may pass over said dam until the full amount of toll on all logs and wood is paid, but the logs or wood of each particular mark shall only be holden to pay the toll of such mark, and if said toll is not paid within twenty days after said logs or wood, or a major part thereof, shall arrive in Union river, said company may sell at public auction in Ellsworth, after ten days' notice in some paper

—Lien on logs for
payment.

printed in Ellsworth, so much of said logs or wood as may be necessary to pay said toll and incidental charges.

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SECT. 4. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 389.

An Act supplementary to chapter two hundred and eighty-two, of the Private and Special Laws of eighteen hundred and seventy, relating to Ticonic Bridge between Waterville and Winslow.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The towns of Waterville and Winslow are hereby authorized to build, rebuild, repair and maintain the Ticonic bridge, so called, across the Kennebec river between said towns, in accordance with the provisions of chapter two hundred and eighty-two of the private and special laws of eighteen hundred and seventy, and all expenses thereof, incurred since March ten, eighteen hundred and eighty-four, and arising in the future, shall be borne by said towns in proportion to their respective state valuations, as existing at the time said expenses are incurred.

Towns authorized to build, etc., Ticonic bridge.

—expenses to be borne by towns, proportionately.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Inconsistent acts repealed.

Approved February 11, 1885.

Chapter 390.

An Act to provide in part for the expenditures of Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and eighty-five, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is

Act of appropriation.

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authorized, at any time prior to the first day of January next, to draw his warrant on the treasurer for the same :

Public debt, fifty thousand dollars,	50,000 00
Interest on public debt, three hundred eighteen thousand dollars,	318,000 00
Sinking fund, seventy-eight thousand one hundred eighty-four dollars and fifty cents,	78,184 50
School fund and mill tax due in eighteen hundred and eighty-five, three hundred thirty thousand nine hundred twenty-five dollars and eighty-seven cents,	330,925 87
Due on school fund and mill tax prior to eighteen hundred and eighty-five, thirty thousand six hundred fifty-four dollars,	30,654 00
Normal schools, nineteen thousand dollars,	19,000 00
Training schools, thirteen hundred dollars,	1,300 00
Teachers' meetings, six hundred dollars,	600 00
Trustees normal schools, six hundred dollars,	600 00
Madawaska school fund, three hundred dollars,	300 00
Madawaska school fund due prior to eighteen hundred and eighty-five, one hundred fifty-four dollars and sixty cents,	154 60
Expenses superintendent common schools, five hundred dollars,	500 00
Houlton academy, one hundred and twenty dollars,	120 00
Hebron academy, sixty dollars,	60 00
Foxcroft academy, sixty dollars,	60 00
Lee normal academy, six hundred dollars,	600 00
Oak Grove seminary,	300 00
Salaries of public officers, sixty thousand dollars,	60,000 00
Salary of bank examiner, eighteen hundred dollars,	1,800 00
Salary of fish commissioner, one thousand dollars,	1,000 00
Salary of pension clerk, one thousand dollars,	1,000 00
Salary of land agent, eight hundred dollars,	800 00
Salary of clerks in secretary of state's office, eighteen hundred dollars,	1,800 00
Salary of clerks in treasurer's office, twenty-two hundred dollars,	2,200 00

Salary of clerk in adjutant general's office, five hundred dollars,	500 00
Salary of clerk in superintendent of school's office, seven hundred dollars,	700 00
Salary of messenger to governor and council, five hundred dollars,	500 00
Pay roll of council, twenty-eight hundred dollars,	2,800 00
Contingent fund of governor and council, five thousand dollars,	5,000 00
Contingent fund of treasurer, five hundred dollars,	500 00
Contingent fund of secretary of state, three hundred dollars,	300 00
County taxes collected in eighteen hundred and eighty-four, eleven thousand eight hundred thirty-six dollars and seventeen cents,	11,836 17
Penobscot Indians, shore rents, forty-five hundred and eighty dollars,	4,580 00
Agricultural societies, five thousand five hundred dollars,	5,500 00
Board of agriculture, three hundred and fifty dollars,	350 00
Military pensions, two thousand dollars,	2,000 00
Soldiers' pensions, twenty-one thousand dollars,	21,000 00
Insane state beneficiaries, forty-three thousand dollars,	43,000 00
Trustees insane hospital, one thousand dollars,	1,000 00
Visiting committee to insane hospital, three hundred and sixty dollars,	360 00
Sanford legacy, forty-two dollars,	42 00
Subordinate officers of state prison, seven thousand seven hundred dollars,	7,700 00
Sheriffs and coroners, one thousand dollars,	1,000 00
Costs in criminal prosecutions, fifteen hundred dollars,	1,500 00
Expenses of attorney general's department, four hundred and fifty dollars,	450 00
Inspectors of state prison and jails, twelve hundred dollars,	1,200 00
Reports of judicial decisions, twenty-four hundred dollars,	2,400 00
Support of paupers in unincorporated places, forty-five hundred dollars,	4,500 00

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Deaf, dumb and blind, fourteen thousand five hundred dollars,	14,500 00
Deaf, dumb and blind, deficiency, eight hundred eighty-six dollars and forty-six cents,	886 46
Idiotic and feeble minded persons, fifteen hundred dollars,	1,500 00
Railroad and telegraph tax due towns for eighteen hundred and eighty-five, twenty-two thousand two hundred twenty-four dollars and thirty-eight cents,	22,224 38
Library, five hundred dollars,	500 00
Balance due towns for railroad and telegraph tax prior to eighteen hundred and eighty-five, two hundred fourteen dollars and twenty-five cents,	214 25
Stationery, two thousand dollars,	2,000 00
Stationery, deficiency, three thousand dollars,	3,000 00
Binding and stitching, five thousand dollars,	5,000 00
Printing, seventeen thousand dollars,	17,000 00
Postage, two thousand dollars,	2,000 00
Transportation of documents, six hundred dollars,	600 00
Lands reserved for public uses, two thousand dollars,	2,000 00
Interest on land reserved for public uses, sixteen hundred dollars,	1,600 00
Forfeited lands, three hundred dollars,	300 00
Journal of council, one hundred and fifty dollars,	150 00
Indices, one hundred and fifty dollars,	150 00
Protection and propagation of fish and game, seven thousand five hundred dollars,	7,500 00
Due for bounty on animals previous to eighteen hundred and eighty-five, five hundred and ten dollars,	510 00
Night watch, fifteen hundred dollars,	1,500 00
Fuel and lights, two thousand dollars,	2,000 00
Fireman and mail carrier, fifteen hundred dollars,	1,500 00

Amounting to the sum of eleven hundred one thousand three hundred twelve dollars and twenty-three cents, 1,101,312 23

SECT. 2. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 391.

An Act to amend "An Act to incorporate the Van Buren Lumbering and Manufacturing Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section two, chapter thirty-four of the special and private laws of eighteen hundred and eighty-one is hereby amended by striking out the words "connected therewith," in the eleventh line, and insert after the word "booms," in the tenth line 'with suitable piers there and elsewhere,' so that the section as amended shall read as follows :

Sec. 2, ch. 34,
private and
special laws of
1881, amended.

'SECT. 2. Said corporation is authorized to manufacture lumber and such other articles as may be conveniently connected therewith, with power to purchase, hold and sell such articles, and with power to lease, purchase and hold such real and personal estate as may be deemed expedient ; also to make such by-laws and regulations for the management and government of said corporation as may be deemed necessary and proper. The said corporation is authorized to erect mills on land which it may acquire by purchase, at Van Buren, in the county of Aroostook, and to maintain a boom or booms with suitable piers there and elsewhere on the St. John river, for the purpose of holding logs for said mills, not, however, in any manner to interfere with the free navigation of said river.'

Purposes and
privileges.

Approved February 11, 1885.

Chapter 392.

An Act amendatory to "An Act relating to the schools in the city of Portland," approved March eighteen, eighteen hundred and eighty-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Chapter one hundred and fifty-five of the private and special laws approved March eighteen, eighteen hundred and eighty-one, is hereby amended so as to read as follows :

Ch. 155, private
laws of 1881,
amended.

The school committee of the city of Portland shall consist of the mayor of said city, who shall be, ex-officio, chairman of the committee, and of seven other persons, one of whom

School committee
of Portland,
how constituted.

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shall be elected in each of the wards of said city at the annual election for municipal officers, in the same manner as aldermen are now elected, and such person shall be a resident of the ward in which he is elected.

—election and
terms of office.

SECT. 2. At the annual election in the year eighteen hundred and eighty-five, a member of said committee shall be elected, in ward two, ward four, ward six and ward seven, and in the year eighteen hundred and eighty-six in ward one, ward three and ward five, and shall hold their office for the term of two years; and thereafter, at each annual election, such a number of said committee shall be elected as shall be necessary to fill the places of those whose term of office shall expire in that year.

—vacancy, how
filled.

SECT. 3. In case of a vacancy in said committee, the city council shall, in joint convention, elect by ballot, some person resident in the ward in which the vacancy occurred, to hold office until the next annual election, when the unexpired term, if any, shall be filled as provided in section one of this act.

Provisions not to
affect members of
present board.

SECT. 4. This act shall not affect the term of office of any member of the present school committee in said city.

Inconsistent acts
repealed.

SECT. 5. All acts and parts of acts inconsistent herewith, are hereby repealed.

SECT. 6. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 393.

An Act to authorize the Lewiston Steam Mill Company to increase its capital stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Lewiston Steam
Mill Co. author-
ized to increase
capital stock.

SECT. 1. The Lewiston Steam Mill Company is hereby authorized to increase the capital stock of said corporation, by adding thereto the sum of fifty thousand dollars, so that the whole capital stock of said corporation shall amount to the sum of one hundred and fifty thousand dollars.

SECT. 2. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 394.

An Act to supply the people of the city of Bath with pure water.

Be it enacted by the Senate and House of Representatives Corporators.
in Legislature assembled, as follows :

SECT. 1. Arthur Sewall, Charles Davenport, L. W. Houghton, John S. Elliot, Thomas W. Hyde, John H. Kimball, Franklin Reed, F. H. Patten, Galen C. Moses, James A. McLellan, Frank O. Moses, Charles H. McLellan, John W. Marr, F. B. Torrey, John O. Patten, Henry W. Swanton, A. H. Shaw, George Moulton, Jr., Samuel D. Bailey, George H. Nichols, their associates, successors and assigns, are hereby incorporated a body politic by the name of the Bath Water Supply Company, for the purpose of supplying the city of Bath, or any part thereof, with pure water for domestic, manufacturing, private and public uses. Corporate name. Purposes of.

SECT. 2. Said corporation may for said purposes hold real and personal estate not exceeding in amount, five hundred thousand dollars. —may hold real and personal estate.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, hold and convey to the city of Bath, and through any part thereof, the water of any river, spring, natural or artificial pond, brook, or other water sources, in Bath, West Bath, Woolwich or Topsham, in the county of Sagadahoc, or in Brunswick, in the county of Cumberland; and said corporation may take and hold by purchase or otherwise, any real estate necessary for the preservation and purity of the same, or for forming any dams or reservoirs to hold the same, and for laying and maintaining aqueducts and pipes for distributing the water so taken and held; and may lay its water pipes through any private lands with the right to enter upon the same and dig therein for the purpose of making all necessary repairs or service connections; and for the purposes aforesaid may lay its pipes under or over any water course, street, railroad, highway or other way, in such a manner as not unnecessarily to obstruct the same; and may lay down, in and through the streets and ways in said towns of West Bath, Woolwich, Topsham, Brunswick, and the city of Bath, and to take up, replace and repair all such pipes, aqueducts or fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the selectmen of said towns, and the mayor and —take and convey water. —hold real estate. —lay pipes.

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Liable for
damages.

aldermen of said city may impose ; and said corporation shall be responsible for all damages to persons or property occasioned by the use of such streets and ways, and shall pay to said towns and city all sums recovered against said towns and city for damages from obstruction caused by said corporation, and for all expenses including reasonable counsel fees incurred in defending such suits, with interest on the same.

Damages, how
determined, in
case of disagree-
ment.

SECT. 4. Said corporation shall pay all damages that shall be sustained by any persons by taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and damages for any other injuries resulting from said acts ; and if any person sustain damages as aforesaid and the amount thereof cannot be mutually agreed upon, such person may cause his damage to be assessed in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

May make con-
tracts to supply
water.

SECT. 5. Said corporation may make contracts with the United States, the State of Maine, the county of Sagadahoc, the towns and city through which the pipes of the company may be located, or with the corporations and individuals of said towns and city for supplying water, as contemplated in this act. And said corporation may establish and fix from time to time rates for the use of said water and collect the same. And the city of Bath by a majority vote of its city council present and voting jointly thereon, is hereby authorized to contract for a supply of water for the extinguishment of fire or other purposes, for a term of years with said corporation, *provided*, the contract be assented to by said city by a majority vote of the voters present and voting thereon at a legal meeting called for that purpose.

—fix rates.

City of Bath
authorized to
contract for a
supply of water.

—proviso.

Capital stock.

SECT. 6. The capital stock of this corporation shall be three hundred thousand dollars, and shall be divided into shares of one hundred dollars each. Said capital may be increased to five hundred thousand dollars by a vote of this corporation.

May issue bonds
and mortgage
property.

SECT. 7. Said corporation may issue bonds for the construction of its works upon such rates and time as it may deem expedient, not exceeding three hundred thousand dollars, and secure the same by mortgage on the franchise and property of said corporation.

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SECT. 8. Any person who shall wilfully injure any of the property of said corporation, or knowingly corrupt the sources of its water supply, or of any of its tributaries, or in any manner defile them, or divert any of the water, whether the same be frozen or not, shall forfeit and pay to said company three times the amount of actual damages sustained, to be recovered in an action of tort; and on conviction of either of the wilful acts aforesaid shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

Penalty for corrupting waters.

SECT. 9. If said corporation shall not be organized and its works put in actual operation within three years from the approval of this act, the city of Bath shall succeed to all the rights and privileges herein granted.

City of Bath to succeed to rights of corporation if works are not in operation in three years.

SECT. 10. The first meeting of said corporation may be called by a notice signed by any two of the corporators, published five days successively before the day fixed for such meeting, in any newspaper published in Bath.

First meeting.

SECT. 11. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 395.

An Act in favor of the town of Embden, relating to retirement of town bonds issued in aid of Somerset Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The town of Embden is hereby authorized to retire by purchase or exchange, at the option and with the consent of the holder, the bonds issued by said town in aid of the Somerset Railroad Company, either at or before maturity thereof; and for this purpose to issue town orders or new bonds, in such form and amount, having such rate of interest, and payable at such times and places as may be determined by vote of the qualified voters of said town at a meeting thereof, called according to law, for that purpose; *provided, however*, that nothing herein contained shall authorize any increase in the indebtedness of said town.

Town of Embden authorized to retire its railroad bonds.

—may issue new town orders or bonds.

—indebtedness shall not be increased.

SECT. 2. Said town is hereby authorized, at the annual meeting thereof, to raise such sum of money as they may

—may raise money at annual meeting to pay orders or bonds.

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determine, for the purpose of the payment of such town orders or bonds as may be issued under the provisions of this act.

SECT. 3. This act shall take effect when approved.

Approved February 11, 1885.

Chapter 396.

An Act to change the name of Charles Dudley.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name of Charles
Dudley, changed.

That the name of Charles Dudley of Hallowell, in the county of Kennebec, be changed to Friend C. Dudley.

Approved February 16, 1885.

Chapter 397.

An Act to legalize the official acts and doings of the selectmen of the town of Enfield.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of the
selectmen of
Enfield, legalized.

The official acts and doings of the selectmen of the town of Enfield from the year one thousand eight hundred and sixty-nine up to and including the municipal year one thousand eight hundred and eighty-four, are hereby legalized and made valid.

Approved February 16, 1885.

Chapter 398.

An Act to amend the charter of the city of Augusta, relating to the Common Council.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Chapter sixty-three of the private and special laws of the year one thousand eight hundred and seventy-eight, entitled "An Act to amend the charter of the city of Augusta," approved February fifteen, one thousand eight hundred and seventy-eight, is hereby repealed.

Ch. 63, Private
Laws of 1878,
repealed.

SECT. 2. All powers, rights and privileges granted and all duties and obligations imposed by said charter, and subsequent amendments thereto, upon the common council of the city of Augusta, are hereby revived and shall hereafter be exercised and performed by the common council.

Common Council
restored.

SECT. 3. The common council, first hereafter to exercise the powers, rights and privileges, and duties and obligations imposed by the city charter, shall be elected at the municipal election to be held in March, in the year of our Lord one thousand eight hundred and eighty-five, in accordance with the provisions of "An Act to incorporate the city of Augusta," approved July twenty-three, one thousand eight hundred and forty-nine, and the amendments thereto.

—election of.

SECT. 4. Section seventeen of "An Act to incorporate the city of Augusta," approved July twenty-three, eighteen hundred and forty-nine is hereby amended by striking out the word "three" before the words "common councilmen," and inserting instead thereof the word 'two,' so that said section as amended shall read as follows :

Sec. 17, ch. 224,
Private Laws of
1849, amended.

'SECT. 17. The mayor shall be elected from the citizens at large by the inhabitants of the city, voting in their respective wards; one alderman and two common councilmen shall be elected by each ward, being residents in the wards where elected; all said officers shall be elected by ballot, by a majority of the votes given, and shall hold their offices one year from the third Monday in March, and until others shall be elected in their places.'

Election of
mayor, aldermen
and common
councilmen.

SECT. 5. Section nineteen of said "Act to incorporate the city of Augusta," approved July twenty-three, eighteen hundred and forty-nine, is hereby amended by striking out the word "three" wherever it occurs before the words "com-

Sec. 19, amended.

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Time of holding
annual election.

—votes to be
counted in open
ward meetings.

—ward clerk to
deliver certificate
of election within
twenty-four
hours.

Annual meeting
may be adjourned
from day to day
to complete
election.

On second ballot,
persons receiving
highest number
of votes declared
elected.

Aldermen to
notify mayor of
his election.

—issue warrant
for another
election if there
is no choice.

On third trial,
person having
greatest number
of votes declared
elected.

mon councilmen," and inserting instead thereof the word 'two,' so that said section as amended shall read as follows :

'SECT. 19. On the second Monday of March, annually, immediately after a warden and clerk shall have been elected and sworn, the qualified electors of each ward shall ballot for a mayor, one alderman and two common councilmen ; all the votes given for the said several officers respectively, shall be sorted, counted, declared and registered in open ward meeting by causing the names of persons voted for, and the number of votes given to each, to be written on the ward record at length. The ward clerk, within twenty-four hours after such election, shall deliver to the persons elected alderman and common councilmen, certificates of their election, and shall forthwith deliver to the city clerk a certified copy of the record of such election ; *provided, however,* that if the choice of alderman and common councilmen cannot conveniently be effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second balloting for any alderman, common councilmen, constable, warden or clerk, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial, shall be declared elected ; if no one shall then have such highest number, the balloting shall be continued from day to day until a choice is thus effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards certified as aforesaid, and shall cause the person who shall have been elected mayor, by a majority of votes given in all the wards, to be notified in writing of his election ; but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrants for another election, and in case the citizens should fail on the second ballot to elect a mayor, the said board shall again issue their warrants for a third election, to be held not less than three nor more than four days thereafter, at which election the candidate having the greatest number of votes shall be declared elected, and notified as aforesaid ; if no one shall then have such number, further elections shall, in the same manner be ordered, till a choice shall be made by some one

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having the highest number of votes ; and in case of a vacancy in the office of mayor by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election, in the manner hereinbefore provided for the choice of said officer ; and in the meantime the president, pro tempore, of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor by the city clerk, or by any justice of the peace in said city. The aldermen and common councilmen elect, shall on the third Monday of March, at ten of the clock in the forenoon, meet in convention, when the oath required by the second section of this act shall be administered to the members of the two boards present, by the mayor or any justice of the peace, and thereupon the two boards shall separate, and the board of common council shall be organized by the election of a president and clerk.'

Vacancy in office of mayor, how filled.

Oaths of office, by whom administered.

SECT. 6. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 399.

An Act to incorporate Trustees of the First, Tenth, Twenty-ninth Maine Regiment Association.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. John M. Gould, Ezekiel H. Hanson, Charles Walker, George L. Beal, Elijah M. Shaw, and their successors, are hereby created a corporation by the name of trustees of the first, tenth, twenty-ninth Maine regiment association, for the purpose of holding, leasing, improving, furnishing and managing grounds, wharves, buildings and apartments for the use of the first, tenth, twenty-ninth Maine regiment association, and for that purpose may borrow money if they deem it necessary. And said corporation may receive by gift, grant, purchase or otherwise, and may hold real and personal estate and property, not exceeding in value ten thousand dollars, in trust for said first, tenth, twenty-ninth Maine regiment association.

Corporators.

Corporate name.

Purposes.

May hold real and personal property.

SECT. 2. The place of any member of the corporation, which may become vacant by death, resignation, or otherwise,

Vacancies, how filled.

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shall be filled by election, by ballot, by the remaining members from the membership of said first, tenth, twenty-ninth Maine regiment association, and the fact of such membership, determined by the corporation, shall be conclusive.

Officers chosen annually.

—by-laws.

—treasurer to give bond.

Other organisations may use grounds and buildings.

First meeting, how called.

SECT. 3. Said corporation shall annually choose a president, treasurer, clerk, and such other officers as may be deemed necessary, and may make by-laws for their own government and the orderly conduct of their affairs, not inconsistent with the laws of the state. The treasurer shall give bond to the corporation in such sum and with such surety or sureties as the corporation may determine and approve.

SECT. 4. The corporation may allow other organizations such use of the grounds and buildings, and on such terms as may be deemed proper and reasonable.

SECT. 5. John M. Gould or Ezekiel H. Hanson may call the first meeting of said corporation by giving each corporator, or leaving at his usual place of business or residence, a written notice of the time and place of meeting, seven days at least before the time fixed therefor.

Approved February 16, 1885.

Chapter 400.

An Act extending the powers of school district Number Eleven, in the town of Bridgton.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

School Dist. No. 11, in Bridgton authorized to expend school money by arrangement with trustees of academy.

—proviso.

SECT. 1. The legal voters of school district number eleven, in the town of Bridgton, are hereby authorized to make such an arrangement with the principal or trustees of Bridgton academy, situated in said district, in relation to the expenditure of their school money, as a majority of the legal voters of said district may annually determine; *provided*, that, by such an arrangement, the rights and powers of the superintending school committee be not impaired or restricted.

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 401.

An Act to incorporate the Ossipee Valley Telegraph and Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. F. M. Higgins, Chas. H. Adams, J. M. Mason, S. O. Clark, Ira S. Libby, S. E. Grant, Geo. H. Swasey, E. A. Sadler, Wm. W. Mason, their associates, successors and assigns, are hereby created a body politic by the name of the Ossipee Valley Telegraph and Telephone Company, with all the powers, rights and privileges, and subject to all the duties and obligations granted and prescribed by the general laws of this state relating to corporations. Said corporation shall have the right to locate, construct, maintain and operate lines of telegraph and telephone from any point in the town of Limerick and terminating at such point as they may select within the town of Waterborough, with the right to locate, build, maintain and operate branch lines to any point or points within the towns of Newfield, Parsonsfield and Cornish.

Corporators.

Corporate name.

Powers and duties.

—authorised to construct telegraph and telephone lines.

—route.

SECT. 2. Said corporation shall have the right within the limits aforesaid to locate, construct and maintain its lines upon and along any public way, railroad bridge or private lands, but in such manner as not to incommode or endanger the customary use of such way, road or bridge, with the right to cut down trees and remove obstacles when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line or lines.

—locate on any public way, etc., or private lands.

—proviso.

—tolls.

SECT. 3. If the land of any individual or corporation is taken under this act and the parties cannot agree on the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

Land damage, how estimated.

SECT. 4. Said corporation is hereby authorized to connect its line or lines with those of any other telegraph or telephone company, or to sell or lease its line or lines of telegraph and telephone and property, either before or after completion, to any other telegraph or telephone company, upon such terms as may be mutually agreed upon, or to purchase or lease any other line or lines of telegraph or telephone

Authorized to connect with other lines.

—sell or lease.

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upon such terms and conditions as may be mutually agreed upon.

Capital stock.

SECT. 5. The amount of the capital stock shall be fixed by vote of the corporation, but not to exceed the amount that may from time to time be determined to be necessary for the purposes herein specified; but not to exceed in all the sum of eight thousand dollars, and said corporation may purchase, hold, sell and convey real estate and personal property necessary for the purposes contemplated in this charter.

First meeting,
how called.

SECT. 6. Any one of the corporators named in this act may call the first meeting of this company by mailing a written notice, postage paid, to each of the other corporators, seven days at least before the day of meeting, naming the time, place and purpose of such meeting. And at such meeting, a president, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

Officers and by-
laws.

SECT. 7. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 402.

An Act to amend the charter of the Kennebec Log Driving Company, approved March five, in the year of our Lord one thousand eight hundred and sixty-nine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Charter of
Kennebec Log
Driving Co.,
amended.

SECT. 1. Said act is hereby amended by striking out all of said act after the word "may" in the thirteenth line of the first section thereof, and by adding after said word "may," so that said act as amended shall read as follows:

Corporators.

SECT. 1. That John White, Marshall French, Oliver B. Dorrance, George W. King, David Scribner, Ezra Carter, junior, David Wescott, Alvah Sweetser, John Bradley, E. H. Scribner, Levi M. Pratt, Aaron Capen, Phineas Pratt, Henry Bowman, Benjamin Weston, junior, and Josiah H. Hobbs, their associates and successors be and they are hereby made and constituted a body politic and corporate by the name and style of the Kennebec Log Driving Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, both in law and in equity, and may

Corporate name.

make and adopt all necessary regulations and by-laws not repugnant to the constitution and laws of the state, and may adopt a common seal, and the same may alter, break and renew at pleasure, and may purchase and hold real and personal estate sufficient for carrying on the business of the Kennebec Log Driving Company and may grant and raise money by loan or assessment for the same and for driving, securing, and forming into rafts, under rigging logs of the company. And said company shall drive to such place of destination on said Kennebec river as may be designated by the owners or by the directors of said company and may secure and form into rafts, under rigging all logs and other timber belonging to said company or any member thereof, that may be in the East branch and Kennebec river for that purpose below the outlet of Moosehead lake at the dam. And said company may, for the purposes aforesaid, remove obstructions, erect booms, piers and dams where the same may be lawfully done. Said company shall have all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.'

Powers.

Logs and lumber in East branch and Kennebec, driving of.

May remove obstructions, erect booms, piers and dams.

SECT. 2. The officers of said company shall be a clerk, treasurer, and a board of five directors, to be chosen by ballot, and such other officers as may be deemed necessary, who may be appointed by the directors, unless they shall be chosen at the annual meeting, all of whom shall hold their offices until the next annual meeting, or until others are chosen or appointed in their stead. The clerk, treasurer and directors shall be sworn to the faithful performance of their duties. The treasurer shall give a bond to the acceptance of the directors. The directors shall, at their first meeting, elect one of their number who shall be the president of the company. And no person shall be eligible to the office of director except he be a member of the corporation.

Officers.

—tenure of office.

—oath.

Treasurer shall give bond.

President, election of.

SECT. 3. Any person, persons or corporations, or their agents, owning logs or other timber to be driven on said rivers, at the date of the annual meeting in each year, shall be members of the Kennebec Log Driving Company, and shall so continue for two years at least, from that date, and shall have all the privileges and be subject to all the liabilities thereto. Said members shall be entitled to vote at any meeting of the company, as follows, one vote each.

Who may be members.

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Statement of
amount of logs
and timber,
driven, to be filed
with clerk.

Assessments to
meet expenses.

Proceedings in
case of refusal or
neglect to file
statement.

Lien.

Record of assess-
ments to be kept
in office of clerk.

SECT. 4. The members of said company owning logs or other timber to be driven down said rivers, shall, on or before the first day of May in that year, file with the clerk of the company a correct statement in writing, signed by a sworn surveyor, of all such logs or timber of the number of feet, full scale, with the mark or marks thereon, together with the place from which the logs are to be driven and their destination. And it shall be the duty of the directors to keep a separate and distinct account of all expenses incurred for driving the logs and other timber between Moosehead lake and the forks of the Kennebec river, and between said forks of the Kennebec river and the point of destination on the Kennebec river, and ascertain the number of feet, full scale, and ownership of said logs and other timber driven between said points, and assess thereon, to owners if known, or to owners unknown, making such discount for logs driven less than the whole distance as in their opinion may be right and equitable, a distinct and separate tax sufficient to pay said expenses, with such further sums as may be necessary to pay damages and losses for piers, booms, buoys, dams and other expenses as may be voted by the company or the directors. And the directors shall have power whenever they may deem it necessary or expedient, to cause a survey to be made of any or all logs driven, secured or rafted by the company, and the expense of such survey shall be assessed on such logs in the same manner as is herein provided for assessing the expenses of driving, securing and rafting the same. If any owner or agent shall refuse or neglect to file such a statement in the manner herein prescribed, the directors may assess such delinquent or delinquents for his or their proportion of expenses, such sum or sums as may be by the directors considered just and equitable, and such assessment shall be final; said assessment to be made at any time after the first day of July at the discretion of the directors. And said company shall have a lien on all logs and other timber by them driven for the expense of driving, booming and securing, which shall not be discharged until all assessments shall be finally paid. The directors shall keep a record of the assessments in the office of the clerk, which shall be open to the inspection of all persons interested.

SECT. 5. The directors shall give the treasurer a list of all assessments by them made, with a warrant in due form under their hands. And it shall be the duty of the treasurer immediately after he shall receive from the directors a list of assessments in due form, to notify in writing all the owners, where known, of the amount assessed upon their several marks, and all owners of logs and other timber shall be required to pay or satisfactorily secure the amount of their several assessments on demand, and in default of payment of the whole or any part of any member's assessment, the treasurer shall have power to take possession of a sufficient quantity of the logs or other timber of any mark owned or assessed to said member, and advertise the same for sale at public auction, by posting up in some conspicuous place in Gardiner and Augusta, a notice of such sale, stating therein the names of the persons taxed, if known, with the mark or marks assessed, with the amount of assessment unpaid, ten days at least before the day of the sale; and unless such assessments, with all expenses incurred, are previously paid, he may then proceed to sell to the highest bidder a sufficient quantity of such logs or other timber to pay such assessment, with all proper costs, together with twelve per cent interest from the date of said assessment; such sales to be at the office of the company, or where the logs are situated.

List of assessments to be furnished treasurer.

—notice to owners.

—payment to be made on demand.

—proceedings in case of default of payment.

SECT. 6. All logs or other timber, after coming within the limits of the corporation, and not having thereon some mark designating the owner or owners thereof, shall be the property of said company; and said logs or other timber shall be disposed of by order of the directors, and the proceeds paid into the treasury of said company to defray expenses; *provided, however*, that nothing in this or the following section shall be construed to impair the right of any person to claim any log or other timber which he may have put into said river without such mark of ownership. And any such person, upon furnishing reasonable proof of such ownership, shall be entitled to receive all logs which, at any time before the sale thereof he may so prove to be his, or to receive the proceeds of the sale of the same, *provided*, they have been sold by said company; all such claims to be made and proof to be furnished within one year from the date of the sale of the same by the company.

Unmarked lumber, h.w disposed of.

—*proviso.*

—proof of ownership.

CHAP. 402Marks, prize logs,
&c.

SECT. 7. It shall not be lawful for any person or corporation, other than the Kennebec Log Driving Company, to mark, or cause to be marked, any log or other timber put into said rivers or their tributaries, usually called prize logs. And if any person or corporation shall take and carry away or otherwise convert to his or their use, without the consent of said company, any prize log or prize timber, he or they shall be subject to all the liabilities provided for similar offenses in the laws of the state, which specially provide for securing to owners their property in logs, masts, spars and other timber.

Marks to be
recorded by
clerk.

SECT. 8. Any owner or owners of logs or other timber on said rivers or their tributaries, may take and use on his or their logs, or other timber any mark not in use by any other person, on said rivers or tributaries, and such mark shall be left with the clerk of said company and shall be by him recorded in a book kept for that purpose, which shall be at all times open to the inspection of all persons interested; and if any other person or corporation shall use such mark on any logs or other timber on said river or its tributaries after such mark shall be recorded, such offender or offenders shall forfeit and pay twenty dollars for every such offense, to be recovered by action of debt in any court competent to try the same, to the use of the person prosecuting therefor.

—penalty for
using, by others
after record of.Logs not to be
detained without
consent of owner.

SECT. 9. If any person or persons shall stop or detain any logs or other timber at any point above Six Miles Falls, so called, in Vassalboro, without the consent of the owners thereof, or said company, and shall detain the same for the space of seventy-two hours or more, or shall detain any logs or other timber between Augusta dam and said falls, for more than six days after the first day of October of each year, without consent aforesaid, said person or persons, so offending, shall forfeit and pay twice the amount of damage sustained by said owners or Log Driving Company to be recovered by action of debt to the use of the prosecutor.

—penalty.

Care of logs
exposed to loss.

SECT. 10. Whenever the directors of the Kennebec Log Driving Company shall judge it for the interest of the owners of logs and other timber remaining in the booms or in any place exposed to loss, to collect and deposit in suitable and convenient places and properly secure the same, they are hereby authorized so to collect and deposit such logs and

timber thus situated and to use all reasonable care safely to keep the same, until removed by the owners thereof, or are otherwise disposed of in the manner provided in this act.

SECT. 11. Upon all logs and other timber thus collected and deposited, the directors shall assess the expense actually incurred thereon, with such additional sums as may be deemed necessary to cover necessary future expenditures upon them while in their charge ; and said company shall have a lien upon the logs and other timber and may hold the same and sell as provided in section five for the full payment of all expenses ; or the treasurer may recover such assessments, and all other assessments made by virtue of this act, in an action of debt in the name of the Kennebec Log Driving Company in any court competent to try the same, to the use of the person prosecuting therefor.

—expenses of,
assessed on
owners.

—lien for
payment.

SECT. 12. If any logs or other timber shall remain in the depositories upon the first day of September next ensuing, upon which the assessments have not been paid, the directors may immediately thereafter advertise for three weeks successively in newspapers printed in the cities of Gardiner and Augusta, notifying all owners of logs and other timber deposited under this act, to remove the same within thirty days from said first day of September ; and all logs not removed before the expiration of thirty days, and upon which the assessments have not been paid, may be sold at public auction, and the proceeds therefor, after deducting all unpaid assessments and necessary expenses of sale, shall be paid upon demand by the treasurer of the company to the owners of logs and other timber thus sold ; *provided, however,* this shall not apply to logs that are in booms the first day of September or that may come in after that date by reason of a late drive of such logs.

Notice to log
owners who have
not paid assess-
ments, how given.

—sale of at
auction.

—proviso.

SECT. 13. Whenever the company shall judge it for the interest of the log owners, they may collect and secure all logs and other timber which may drift below the Sand's boom on said river, and for all expenses incurred by said company upon all logs and other timber so secured, said company shall be authorized to assess thereon a tax sufficient to pay such expense ; and if such tax is not paid or secured, and the logs removed prior to the first day of September, they may proceed to sell at public auction all such logs and other timber

May collect logs
drifting below
Sand's boom.

—expense of,
how assessed and
collected.

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not previously removed, and the assessments thereon paid. Prior to proceeding to such sale, notice of the time and place of sale shall be published, three weeks successively in newspapers printed in the cities of Gardiner and Augusta; and the proceeds of such sales, after deducting all necessary charges, shall be paid by the treasurer of said company, on demand, to the owners of such logs and other timbers thus sold.

Expense of
booms, how
assessed and
collected.

SECT. 14. The Riverside boom in Vassalboro, Hallowell boom in Chelsea, Brown's Island boom in Farmingdale, Sand's boom in Pittston, and any other deposit or shear boom owned or operated by the company shall be managed and the cost and expenses for the same assessed and collected as may be determined by vote of the directors.

Annual and
special meetings,
how regulated.

SECT. 15. The manner, place and time of calling annual and special meetings of the company, and meetings of the directors, may be regulated by vote of the company at any meeting thereof.

Private property,
liable for debts of
company.

SECT. 16. The private property of each member of said company shall be holden to pay all debts contracted by said company after he became a member thereof, and before his withdrawal from the same, in default of company property whereon execution may be satisfied, and when property of a member is so taken, he shall have a remedy by contribution against each and all other members of the company.

Inconsistent acts
repealed.
—exceptions.

SECT. 17. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, excepting chapter one hundred and seventy-one of the laws of eighteen hundred and seventy-nine, approved February twenty-seven, eighteen hundred and seventy-nine.

SECT. 18. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 403.

An Act to amend chapter five hundred and forty-one of the Private Laws of eighteen hundred and seventy-one, entitled "An Act to incorporate the Penobscot and Lake Megantic Railroad Company," as amended by chapter sixty-five of the Private Laws of eighteen hundred and eighty-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter five hundred and forty-one, of the private laws of eighteen hundred and seventy-one, as amended by section one of chapter sixty-five of the private laws of eighteen hundred and eighty-one, is hereby amended by inserting after the word "lake" in the twentieth line, the words, 'or from said European and North American Railway, within the limits aforesaid, to the east shore of Moosehead lake south of Lily bay, thence across said lake over Sugar island and Deer island to the west shore of said lake south of its outlet into Kennebec river, *provided*, that in crossing said lake, the bridges and approaches thereto shall be constructed to the approval of the railroad commissioners of this state, and with whatever draws and spans said commissioners shall direct, and *provided, also*, that said bridges shall not be constructed and completed until there be constructed and completed a railroad from some point on the main line of the International Railway to Greenville, and at said Greenville a connection of the same gauge be made with the Bangor and Piscataquis Railroad at its northern terminus in or near said Greenville, such branch line to be constructed in a manner equal to that of the main line of said Bangor and Piscataquis Railroad, and said International Railway Company is hereby authorized to construct said branch line;' and by inserting after the word "Greenville," in the twenty-first line, the words, 'or the west shore of Moosehead lake,' so that said section as amended shall read as follows :

Charter of
Penobscot &
Lake Megantic
R. R., amended.

'SECT. 2. The said corporation is hereby fully empowered to survey, locate, construct, complete, alter, equip and keep in repair, a railroad with one or more tracks, and all necessary buildings, tunnels, viaducts, turnouts, side tracks, culverts, bridges, drains, and all other needful appendages and appurtenances, from some point on the line of the European and North American Railway, between the Passadumkeag and Mattawamkeag rivers, to the Bangor and Piscataquis

Right to survey,
locate, etc.

Route.

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May cross
Moosehead Lake.

—proviso.

Time within
which location
shall be filed.

Railroad in the towns of Orneville or Milo, and there connect with the last named railroad, and thence from some point on the Bangor and Piscataquis Railroad, between its present terminus in the town of Foxcroft or Abbot, when finished to Abbot and Moosehead lake; or from some point on the line of the European and North American Railway, between the south line of the town of Lincoln and the north line of the town of Mattawamkeag, to Greenville, near the foot of Moosehead lake, on a line which shall not be at any point within fifteen miles of the Bangor and Piscataquis Railroad, except where it shall approach and cross the line of said last named railroad, near the foot of Moosehead lake; or from said European and North American Railway, within the limits aforesaid to the east shore of Moosehead lake, south of Lily bay, thence across said lake over Sugar island and Deer island, to the west shore of said lake, south of its outlet into Kennebec river, *provided*, that in crossing said lake, the bridges and approaches thereto shall be constructed to the approval of the railroad commissioners of this state, and with whatever draws and spans as said commissioners shall direct; and *provided, also*, that said bridges shall not be constructed and completed until there be constructed and completed a railroad from some point on the main line of the International Railway to Greenville, and at said Greenville a connection of the same gauge be made with the Bangor and Piscataquis Railroad at its northern terminus in or near said Greenville, such branch line to be constructed in a manner equal to that of the main line of said Bangor and Piscataquis Railroad, and said International Railway company is hereby authorized to construct said branch line; and from Greenville, or the west shore of Moosehead lake, to some point on the west line of the state between township numbered three, in the fifth range of townships, and the north branch of Moose river, and there connect with the International Railroad, or any other railroad which may be constructed from Lenoxville, in the province of Quebec, eastwardly to said state line.'

SECT. 2. Said corporation shall have until the first day of January, eighteen hundred and eighty-six, to file with the county commissioners of the several counties through which it shall pass, the location of its line according to actual survey,

from the Kennebec river east to its junction with the European and North American Railway.

SECT. 3. This act shall take effect when approved.

Approved February 16, 1883.

Chapter 404.

An Act prohibiting the taking of fish from Rounds' Brook in the town of Dayton.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All persons are forbidden fishing for, or taking trout or any other fish from Rounds' brook, so called, in the town of Dayton, in the county of York, for the term of three years after the passage of this act.

Taking trout from Rounds' Brook for three years, forbidden.

SECT. 2. If any person shall violate any of the provisions of this act, he shall forfeit for each and every violation of the same, the sum of ten dollars, to be recovered in an action of debt, one-half to the person who may prosecute, and the other half to the use of the York County Fish and Game Protective Society.

Penalty for violation.

SECT. 3. This act shall take effect when approved.

Approved February 16, 1883.

Chapter 405.

An Act to incorporate the Sunday River Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Galen C. Moses, Edward Plummer and R. H. Wheeler, and their associates and successors, are hereby incorporated into a company under the name of the Sunday River Improvement Company, with all the rights, powers and privileges, and subject to the liabilities of similar corporations.

Corporators.

Corporate name.

Powers.

SECT. 2. The capital stock of said corporation shall be five thousand dollars.

Capital stock.

SECT. 3. Said corporation is hereby authorized to improve Sunday river in the county of Oxford for log driving purposes, and to this end may remove obstructions therein, and widen

Authorized to improve Sunday river.

CHAP. 405

or deepen the channel, construct dams, side-dams, booms, side-booms, sluice-ways, piers, and make such other improvements as may be necessary to accomplish the object of this act; *provided, however*, that for all damages from flowage, or for material taken for such purposes, or for any injury arising therefrom, said corporation shall pay an adequate compensation; such damages may be determined by the county commissioners of said Oxford county in the same manner, and under the same conditions as are provided in the case of damages by the laying out of public highways; and for lands flowed by said corporation, the owners shall be entitled to the same remedies as are now provided by law in cases of flowing lands by erection of dams for mills, and in either case said damages may be recovered in an action upon the case by suit at law; but if any of said county commissioners are interested in said damages, the one, so interested, shall not act in the assessment of damages aforesaid, but his place shall be filled by the supreme judicial court at any of its sessions held in and for said Oxford county upon the application of any party in interest.

SECT. 4. Said corporation, after it shall have made, in the judgment of said county commissioners, or board as above provided, such substantial improvements of Sunday river above specified entitling it to tolls, may demand and receive a toll of fifteen cents per thousand feet, board measure, for all logs, except poplar and other small logs not exceeding twelve feet in length put into said water for paper-pulp material, that shall pass over and by the improvements above-named, above the old mill-site, near the Eames place, on said river. But no tolls shall be laid or collected upon any logs put into said water below said Eames place aforementioned.

SECT. 5. Said contemplated improvements are to be made within three years from the granting of this charter, otherwise this charter becomes void and of no effect.

Approved February 16, 1885.

Chapter 406.

An Act to amend sections one and four of chapter sixty-four of the Private and Special Laws of the year eighteen hundred and seventy-eight, entitled "An Act to incorporate the Presumpscot Water Power Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section one of chapter sixty-four of the private and special laws of the year eighteen hundred and seventy-eight, entitled "An Act to incorporate the Presumpscot Water Power Company," is hereby amended so as to read as follows :

Sec. 1, ch. 64,
private laws of
1878, amended.

'SECT. 1. Samuel D. Warren and Charles Fairchild of Boston, Samuel H. Lisk, Nathan Weston, Dennis W. Clark and William R. Wood, of Portland, Lewis P. Warren, William L. Warren and George L. Warren, of Westbrook, and William A. Russell of Lawrence, their associates and successors are hereby constituted a body corporate by the name of the Presumpscot Water Power Company, and shall have and enjoy all the rights and powers of similar corporations, and may have a capital stock not exceeding one hundred thousand dollars.'

Corporators.

Corporate name.

Powers.

Capital stock.

SECT. 2. Section four of said chapter is hereby amended so as to read as follows :

Sec. 4 amended

'SECT. 4. That for the purposes named in this act, said corporation is authorized to purchase, have, hold and enjoy, in fee simple or any less estate, lands, tenements and estates, real, personal or mixed, to the amount of one hundred thousand dollars, with the right to sell and convey the same in any form.'

Authorised to
hold real and
personal estate.

Approved February 16, 1885.

Chapter 407.

An Act to incorporate the Boston and Maine Express Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Frank Jones, James T. Furber, Payson Tucker, George P. Wescott, Frederick Robie, Joseph R. Bodwell, Orville D. Baker, George C. Wing, E. R. Burpee, F. H. Clergue and Joseph H. Manley, their associates and successors,

Corporators.

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Corporate name.

Powers and duties.

Route.

Capital stock.

May hold real and personal estate.

Railroads, steamboats and stages required to furnish facilities, without discrimination in rates.

are hereby made a corporation by the name of the Boston and Maine Express Company, for the purpose of forwarding and transporting money, merchandise and other property, collecting notes, bills and other claims, and doing all other express business; with all the powers and privileges, and subject to all the duties, liabilities and restrictions of similar corporations under the general laws of this state. Said corporation shall have the right to operate over the Boston and Maine Railroad and all its leased lines and branches; and over all railroad, steamboat and stage lines in Maine, New Brunswick and Nova Scotia.

SECT. 2. The capital stock of said corporation shall not exceed three hundred thousand dollars, and shall be divided into shares of one hundred dollars each. Said corporation may hold such real and personal estate as may be necessary or convenient for carrying on its business, not exceeding in all the amount of its capital stock aforesaid.

SECT. 3. The proprietors and operators of all railroads, steamboats and stages, who are common carriers of merchandise, shall furnish said company with all reasonable facilities, accommodations and exchanges needful and convenient for its business, without unjust or unreasonable discrimination in the rates charged therefor.

Approved February 16, 1885.

Chapter 408.

An Act to amend chapter two hundred and four of the Special Laws of eighteen hundred and eighty-three, entitled, "An Act to establish a Municipal Court in the town of Westbrook."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 4, ch. 204,
special laws of
1883, amended.

SECT. 1. Section four of chapter two hundred and four of the special laws of eighteen hundred and eighty-three is hereby amended so as to read as follows:

Terms, first and
third Saturdays
of each month.

Places of holding
court.

'SECT. 4. Said court shall be held on the first and third Saturdays of each month at nine o'clock in the forenoon, for the transaction of civil business, at such place in either of the villages of Saccarappa or Cumberland Mills in said town, as said judge shall determine; but the selectmen of said town

may, at any time, provide a court room in either of said villages, in which case the court shall be held therein, and all civil processes shall be made returnable accordingly; and it may be adjourned, from time to time, by the judge, at his discretion; but it shall be considered in constant session for the cognizance of criminal actions.'

Selectmen may
provide court
room.

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 409.

An Act to authorize the town of Dresden to rebuild the Lower Bridge, so called, on Eastern River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT 1. The town of Dresden is hereby authorized and empowered to rebuild the bridge built under an act incorporating the Dresden Neck Bridge Company, approved March fourteen, eighteen hundred and forty-two, and to maintain the same as a free bridge, provide a suitable draw-tender therefor, and in all other respects be governed as provided in said act incorporating said Dresden Neck Bridge Company, excepting the provisions of sections six and seven of said act, and all rights and franchises of said company are hereby transferred to said town of Dresden.

Town of Dresden,
authorized to re-
build bridge.

SECT. 2. This act shall be inoperative unless the inhabitants of said town, at a legal meeting, shall by a majority vote accept the same. The municipal officers of said town shall insert in their warrant for said meeting an article for this object. The vote at said meeting shall be by ballot, thus; 'rebuild lower bridge! yes;' 'rebuild lower bridge! no.' But ballots with 'yes' or 'no' may be received and counted. Said ballots shall be received, sorted, counted and declared as votes for town officers are, and shall be recorded by the town clerk in the town record. And if there be a majority of the ballots with 'yes' it shall be deemed to be an acceptance of this act, which shall then be in force, and the selectmen of said town shall forthwith, or within a reasonable time, proceed to construct and lay out the said bridge as a town way, and if said town shall fail to provide the funds necessary

Act inoperative
unless accepted
by inhabitants.

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Selectmen authorized to provide funds.

therefor, the acceptance of this act as provided in this section shall be held to authorize the selectmen to borrow or otherwise provide said funds in the way seeming to them most suitable, being responsible for personal fidelity and integrity alone. If there be a majority of ballots with 'no' then the provisions of this act shall be deemed to be suspended as to said bridge, until the inhabitants of said town at a subsequent meeting, legally called, shall in the manner indicated in this section, accept the provisions of this act.

Town authorized to raise money.

SECT. 3. The town of Dresden is hereby authorized to raise money for the purposes of this act by loan, taxation, or otherwise.

SECT. 4. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 410.

An Act to authorize the Haynes and DeWitt Ice Company to extend wharves and piers into the tide waters of the Kennebec River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company authorized to extend wharves.

SECT. 1. The Haynes and DeWitt Ice Company are authorized and empowered to extend, construct and maintain wharves and piers, to the deep channel in the waters of the Kennebec river on their shore front in the town of Pittston.

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 411.

An Act for protection of Trout or any other fish in Deep Brook in the city of Saco.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All persons are forbidden to take trout or any other fish from Deep Brook, so called, in the city of Saco, in the county of York, for the term of three years after the passage of this act, and then only as provided by the general law.

Taking trout and other fish from Deep Brook, prohibited for three years.

SECT. 2. If any person shall violate the provisions of this act, he shall pay for each and every violation of the same the sum of ten dollars, to be recovered in an action of debt, one half to the person who may prosecute, and the other half to the use of the York County Fish and Game Protective Society.

Penalty for violation.

SECT. 3. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 412.

An Act to amend section two of chapter two hundred and three of the Private and Special Laws of eighteen hundred and eighty-three entitled "An Act to incorporate the Portland Trust Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section two of chapter two hundred and three of the private and special laws of eighteen hundred and eighty-three is hereby amended by striking out after the word "money" in the fifth line, the words "one-third of," so that said section as amended may read as follows :

Sec 2, ch. 203, special laws of 1883, amended.

'SECT. 2. Said corporation shall at all times have on hand in lawful money, as a reserve, not less than twenty-five per centum of the aggregate amount of all its deposits, which are subject to withdrawal on demand ; *provided*, in lieu of lawful money said twenty-five per centum may consist of balances, payable on demand, due from any national or state banks.'

Shall keep a reserve fund in lawful money.

~~—provide.~~

Approved February 16, 1885.

CHAP. 413**Chapter 413.**

An Act additional to "An Act to authorize Lewis Leadbetter, jr., and Elisha C. Cooper to build a bridge over tide waters in the town of North Haven."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 191, special
laws of 1879,
amended.

SECT. 1. Chapter one hundred and ninety-one of the private and special laws of the year one thousand eight hundred and seventy-nine is hereby amended by adding thereto the following words, '*provided*, said bridge have a space under the same not less than twelve feet wide between the abutments thereof, and of sufficient height to give a free passage of said width under said bridge for the navigation of said tide waters by boats.'

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 414.

An Act to confirm and make valid the organization of the Monson Railroad, and to authorize the extension of the same.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Organization of
Monson R. R.,
made valid.

SECT. 1. The organization of the Monson Railroad Company under the general railroad law of the state, as recorded in the office of the secretary of state, volume five, pages three hundred seventy-four, three hundred seventy-five, three hundred seventy-six and three hundred seventy-seven, inclusive, is hereby confirmed and made valid; and said company is hereby declared to be a corporation for the purposes therein specified.

Authorized to
extend road.

Route.

SECT. 2. Said corporation is hereby authorized to extend its road and to operate and maintain the same from some point at or near its station in Monson village, and passing by the most feasible route through the towns of Monson, Shirley and Greenville, to some point near the foot of Moosehead lake in said Greenville; and from Monson junction in the town of Abbot by the most feasible route through any of the towns of Abbot, Parkman, Kingsbury, Wellington, Harmony, Mayfield, Brighton, Athens and Skowhegan, to the Maine

Central railroad in the village of Skowhegan, with the right to connect with said Maine Central railroad in said Skowhegan. **CHAP. 415**

SECT. 3. A time of four years from the approval of this act is allowed for the completion of the extensions specified in section two. Time within which extension shall be made.

Approved February 16, 1885.

Chapter 415.

An Act to authorize the town of Brownville to remove the bodies of deceased persons.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The town of Brownville is hereby authorized to take up from the old burying-ground in the village in said town the bodies and remains of all deceased persons buried therein, remove the said bodies and remains to the new burying-ground in said town and there decently bury the same, at the expense of said town; and to sell and convey all the right and interest said town has in the old burying-ground; *provided*, that said town of Brownville at any legal meeting or meetings, duly called and notified, shall agree thereto by a majority vote of its legal voters present and voting. Town of Brownville authorized to remove remain of deceased persons.

—to sell old burying ground.

—proviso.

SECT. 2. This act shall take effect when approved.

Approved February 16, 1885.

Chapter 416.

An Act to make valid the acts of the First Congregationalist Society of Sumner.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

All acts of the First Congregationalist Society of Sumner, at any meeting of said society, duly called since January one, eighteen hundred and eighty-three, are hereby made valid. Acts of First Cong. Society of Sumner made valid.

Approved February 19, 1885.

CHAP. 417**Chapter 417.**

An Act to authorize the Denison Paper Manufacturing Company to issue bonds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company
authorized to
issue bonds.

SECT. 1. The Denison Paper Manufacturing Company is hereby authorized to issue bonds upon such time and rate as it may deem expedient, to an amount not exceeding one hundred thousand dollars in addition to the amount authorized by chapter two hundred eighty-seven of the private and special laws of eighteen hundred and eighty, approved March fifteen, eighteen hundred and eighty.

SECT. 2. This act shall take effect when approved.

Approved February 19, 1885.

Chapter 418.

An Act to incorporate the Ellsworth Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Albert W. Cushman, Albert H. Norris, Charles C. Burrill, George A. Parcher, Arthur I. Saunders, Fred B. Aiken, John F. Whitcomb, Frederick E. Hartshorn, John B. Redman, Edward F. Robinson, and such persons as they may associate with themselves in the enterprise and their successors, are hereby incorporated into a corporation by the name of the Ellsworth Water Company for the purpose of supplying the city of Ellsworth in the county of Hancock and the inhabitants of said city with pure water for industrial, manufacturing, domestic, sanitary and municipal purposes, including extinguishment of fires.

Corporate name.

Authorized to
take water.

—to construct
dams, etc.

SECT. 2. Said company for said purposes may flow, detain, collect, take, store, use and distribute water from Branch Pond, Branch Pond stream, and any other stream flowing from said pond, all in said Ellsworth and may locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants and all other necessary structures therefor.

SECT. 3. Said company is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said city, and to take up, replace and repair all such sluices, aqueducts, pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the mayor and aldermen of said city may impose. And said company shall be responsible for all damages to all corporations, persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said city all sums recovered against said city for damages from obstruction caused by said company, and for all expenses, including reasonable counsel fees, incurred in defending such suits, with interest on the same.

—to lay pipes, etc., under restrictions imposed by aldermen.

—responsible for all damages.

SECT. 4. Said company shall have power to cross any water-course, private or public sewer, or to change the direction thereof where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street, or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements then removed by it, to be replaced in proper condition.

Authorized to cross, etc., private and public sewers.

—not to obstruct public travel.

SECT. 5. Said company is hereby authorized to lay, construct and maintain its pipes under, in and over Union river, and to build and maintain all necessary structures therefor; all to be done at such places as may be necessary for the said purposes of said company and not to obstruct navigation.

Authorized to lay pipes under, etc., Union river.

SECT. 6. Said company may take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants, and other necessary structures, and may locate, lay and maintain sluices, aqueducts, pipes, hydrants, and other necessary structures or fixtures in, over and through any lands for its said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds, in said county of Han-

May take lands.

Shall file plans of location in registry of deeds.

CHAP. 418

cock, plans of such location and lands, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any one line of pipe or aqueduct, and not more than three acres by any one reservoir.

Land damages,
how assessed.

SECT. 7. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may within twelve months after said filing of plans of location, apply to the commissioners of said county of Hancock, and cause such damages to be assessed in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways, so far as such law is consistent with the provisions of this act. If said company shall fail to pay such land owner, or deposit for his use, with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall be thereby invalid, and said company forfeit all rights under the same, as against such land owner. Said company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered him by said company, he shall recover costs, otherwise said company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation, until after such failure to pay or deposit as aforesaid. Damages caused by flowage are to be ascertained and paid in the same manner.

Location not
valid if damages
are not paid.

Costs, how and
by whom recovered.

Action cannot be
brought till Co.
fails to pay
damages.

Damages for
taking water,
how assessed.

SECT. 8. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages assessed in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought

for the same until after the expiration of the time of payment. And a tender by said company may be made with the same effect as in the preceding section.

SECT. 9. Said company is hereby authorized to make contracts with the United States and with corporations and inhabitants of said city of Ellsworth for the purposes of supplying water as contemplated by this act. And said city of Ellsworth is hereby authorized by its mayor and aldermen to enter into contract with said company for a supply of water for any and all purposes inentioned in this act, and for such exemption from public burden as said city and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

May make contracts for supplying water.

City of Ellsworth authorized to contract for water.

—may exempt Co. from taxation.

SECT. 10. Whoever shall wilfully or maliciously corrupt the water of said pond or streams or any of the tributaries thereto whether frozen or not, or in any way render such waters impure whether frozen or not, or whoever shall wilfully or maliciously injure any of the works of said company, shall be punished by fine nor exceeding one thousand dollars or by imprisonment not exceeding two years, and shall be liable to said company for three times the actual damage to be recovered in any proper action.

Penalty for corrupting waters.

SECT. 11. The capital stock of said company shall be one hundred thousand dollars which may be increased to two hundred thousand dollars by a vote of said company, and said stock shall be divided into shares of one hundred dollars each.

Capital stock.

SECT. 12. Said company for all of its said purposes may hold real and personal estate necessary and convenient therefor, not exceeding in amount two hundred thousand dollars.

May hold real and personal property.

SECT. 13. Said company may issue its bonds for the construction of its works of any and all kinds, upon such rates and time as it may deem expedient, not exceeding the sum of two hundred thousand dollars and secure the same by mortgage of the franchise and property of said company.

—issue bonds.

—mortgage franchise, etc.

SECT. 14. The first meeting of said company may be called by a written notice thereof signed by any three corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting, how called.

SECT. 15. This act shall take effect when approved.

CHAP. 419**Chapter 419.**

An Act to authorize the Lewiston and Auburn Horse Railroad Company to make a loan.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company authorized to issue bonds.

SECT. 1. The Lewiston and Auburn Horse Railroad Company is hereby authorized to issue its bonds, payable at such time and at such rate of interest as it may deem expedient, to an amount not exceeding twenty-five thousand dollars, for the purpose of providing means to pay its present indebtedness and further improve its road and equipment; and the said company is hereby authorized to mortgage its road, franchise and other property to secure the payment of said bonds.

—mortgage road.

SECT. 3. This act shall take effect when approved.

Approved February 19, 1885.

Chapter 420.

An Act for the protection of Fish in Pickerel or Warren Pond, Holland or Philpot Pond and Chadbourn Brook, in Limerick, Berry or Sand Pond in Limington.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Taking of fish from certain waters in Limerick and Limington, prohibited.

SECT. 1. No person shall take, catch, kill or destroy any fish, in any manner from Pickerel or Warren Pond, Holland or Philpot pond, Chadbourn brook in Limerick, Berry or Sand pond in the town of Limington.

Penalty for violation.

SECT. 2. Any person who shall violate the provisions of this act shall forfeit and pay the sum of ten dollars for the attempt, and one dollar for each and every fish so taken, caught, killed or destroyed, to be recovered by complaint before any trial justice; one half to the complainant and one half to the town where the offense was committed.

Act to continue in force three years.

SECT. 3. This act shall continue in force for three years from the date of its approval.

Approved February 19, 1885.

Chapter 421.

An Act incorporating the Trustees of Parochial Funds of Christ Church in Gardiner and in addition to the acts of incorporation of said parish.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. John T. Richards, Isaac J. Carr and Weston Lewis, and such of its members as the parish of Christ church in Gardiner, at its annual Easter meeting, or at any special meeting duly called for the purpose, may elect as their successors, or successor of either of them to fill any vacancy which may be either from the death, resignation, withdrawal or removal from said parish, of them or either of them or their successors, are hereby incorporated and created a body corporate under the name of the Trustees of Parochial Funds of Christ Church in Gardiner, with all the powers and privileges, and subject to all the liabilities of similar corporations.

Corporators.

Corporate name.

SECT. 2. The fund and property known as the glebe fund, derived from the sale of the parsonage lot devised for the benefit of said parish by Doctor Sylvester Gardiner, and sold by authority of an act of the legislature, approved March thirty, eighteen hundred and forty-one ; also the fund and property known as the legacy fund, derived from certain annuities devised by Doctor Sylvester Gardiner, to be paid to the rector of said parish, commuted by authority of an act of the legislature of Massachusetts, approved February twenty-eight, eighteen hundred and seven ; also the fund and property known as the pew trust fund, derived from thirty-two and one-half pews in the church of said parish, given for the benefit of said parish by the late R. H. Gardiner, by deed dated October two, eighteen hundred and forty-seven ; also any other special funds held in trust for the benefit of said parish by its wardens, shall be transferred to and vested in said corporation, and shall be held, managed, invested and re-invested by it ; and the income of said funds be severally applied in strict accordance with the conditions of the several bequests and deeds conveying and establishing said funds, and acts of the legislature in relation thereto.

All parish funds, vested in corporation.

—income to be applied according to conditions of bequests.

SECT. 3. Said corporation shall have power to receive in trust any other sums of money or other property, by deed of

Power to hold property in trust.

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gift or bequest, for the benefit of said parish, and hold the same in accordance with the provisions of such deeds of gifts or bequests.

Trustees to report annually.

SECT. 4. Said trustees shall annually report to said parish at its annual Easter meeting, their doings in managing such funds as may be entrusted to them, the then present investments of the several funds, the income derived from each of said funds during the preceding year, and the disposition by them made of such income.

—authorized to receive from estate of R. H. Gardiner, commutation of annuity.

SECT. 5. Said trustees are hereby authorized and empowered to receive from the trustees of the estate of R. H. Gardiner, or from his heirs, at any time within one year from the passage of this act, the sum of two thousand dollars in commutation of the annuity of one hundred and two dollars and twenty-two cents, bequeathed by Doctor Sylvester Gardiner toward the support of the rector of said parish, and made a charge upon his Cobbossee Contee estate, which estate, subject to said annuity was bequeathed to said R. H. Gardiner; and said trustees of estate of R. H. Gardiner are empowered to pay said sum of two thousand dollars as aforesaid, and such payment shall forever discharge said Cobbossee Contee estate from the incumbrance of said annuity. Said sum when paid shall be added to the legacy fund so called, and shall be subject to the same terms and conditions as are now, or may be imposed thereon.

Doings of parish made valid.

SECT. 6. The action of said parish at its meeting held March twenty-nine, eighteen hundred and sixty-nine, whereby it was ordered that said parish be re-organized in accordance with the provisions of chapter one hundred and eighty of the special acts of the legislature, approved February twenty-six, eighteen hundred and sixty-nine, is hereby legalized and made valid.

SECT. 7. This act shall take effect when approved.

Approved February 19, 1885.

Chapter 422.

An Act for the protection of fish in Canaan Pond and ponds immediately connected therewith, in the towns of Camden, Hope and Lincolnville.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No fish of any kind shall be taken from Canaan pond and ponds immediately connected therewith, in the towns of Camden, Hope and Lincolnville, in the counties of Waldo and Knox, with hook and line, or any other way, for sale, for the period of ten years from the date of the approval of this act.

Taking of fish from Canaan pond, in Camden, etc., prohibited for ten years.

SECT. 2. The penalty for the violation of this act shall be a fine of not more than ten dollars for each fish so taken, to be recovered on complaint before any trial justice in said Waldo or Knox county.

Penalty for violation.

Approved February 21, 1885.

Chapter 423.

An Act to prevent the taking of fish from the tributaries of Wilson pond, in the city of Auburn, for the term of six years.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No fish of any kind shall be taken from the tributaries of Wilson pond, in the city of Auburn, county of Androscoggin, with hook and line, or in any other way, for the period of six years.

Taking of fish from tributaries of Wilson pond, in Auburn, prohibited for six years.

SECT. 2. The penalty for the violation of this act, shall be a fine of not more than fifteen dollars for each fish so taken, to be recovered on complaint before the municipal court for the city of Auburn, one-half to the complainant and one-half to the city of Auburn.

Penalty for violation.

SECT. 3. This act shall take effect when approved.

Approved February 21, 1885.

Chapter 424.

An Act for the protection of fish in Allen Pond in the town of Greene.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Close time for
fish in Allen
pond in Greene,
between Nov. 1
and May 1.

—penalty for
violation.

SECT. 1. No fish of any kind shall be taken from Allen Pond in the town of Greene and county of Androscoggin, with hook and line, through the ice, or in any other way, between the first day of November and the first day of May, of each year. The penalty for the violation of this act shall be a fine of not more than ten dollars for each fish so taken, to be recovered on complaint before any trial justice, police or municipal court in said county of Androscoggin, one-half to go to the complainant.

SECT. 2. This act shall take effect when approved.

Approved February 21, 1885.

Chapter 425.

An Act to prohibit the taking of fish from Taylor Pond and its outlet, in the city of Auburn.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Taking of fish
from Taylor pond,
Auburn, pro-
hibited for five
years.

SECT. 1. All persons are forbidden and prohibited hereby to take fish of any kind from Taylor pond and its outlet as far down stream as the lower mill-dam of H. and M. Willis, in the city of Auburn, county of Androscoggin, for the term of five years.

Penalty for
violation.

SECT. 2. Any person violating the provisions of this act shall be liable to a fine of five dollars for each fish so taken, to be recovered on complaint before the municipal court for the city of Auburn, one-half to the complainant and one-half to the city of Auburn.

SECT. 3. This act shall take effect when approved.

Approved February 21, 1885.

Chapter 426.

An Act to make valid the doings of the Chestertville Union Meeting House Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The doings of the Chestertville Union Meeting House Society, at a meeting of said society held December eight, eighteen hundred and eighty-three, are hereby made legal and valid.

Doings of
Chestertville
Union Meeting
House Society,
made valid.

Approved February 21, 1885.

Chapter 427.

An Act to authorize the American Turning Company to issue preferred stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The American Turning Company, a corporation organized in accordance with the provisions of chapter twelve, of the private and special laws of one thousand eight hundred and eighty-one, is hereby authorized, with the approval and consent of a majority of the stock authorized by said chapter twelve, to issue preferred stock to an amount not exceeding in the whole the sum of fifty thousand dollars, divided into shares of the par value of ten dollars each, said amount to be in addition to the amount authorized by said chapter twelve.

American Turn-
ing Co., author-
ized to issue pre-
ferred stock.

SECT. 2. Said preferred stock shall be entitled to semi-annual dividends of three and one-half per cent, to be paid from the net earnings of said corporation, before dividends are paid on any stock authorized by said chapter twelve, now or at any time hereafter outstanding, and to share pro rata with said stock so authorized by chapter twelve in any surplus applicable to dividends which may remain after paying dividends of six per cent per annum on said stock so authorized by chapter twelve, and said preferred dividends shall take precedence of any dividend or interest on any stock or other security hereafter issued by said corporation.

Dividends on,
how paid.

SECT. 3. Said preferred stock shall, except as hereby provided, be entitled to all the rights and be subject to all the liabilities of said stock authorized by said chapter twelve,

Preferred stock to
have all rights,
etc., of original
stock.

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and shall be issued in such amounts, not to exceed said sum of fifty thousand dollars in the whole, as may from time to time be voted by a majority of the directors of said corporation.

SECT. 4. This act shall take effect when approved.

Approved February 21, 1885.

Chapter 428.

An Act to amend chapter one hundred and eighty, Private and Special Laws of eighteen hundred and seventy-nine, establishing the police court of the city of Belfast.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 180,
private laws of
1879, amended.

Police court for
city of Belfast,
established.

Seal.

Judge.

Jurisdiction,
original and ex-
clusive.

Concurrent
jurisdiction.

Exclusive
jurisdiction.

SECT. 1. Section one of chapter one hundred and eighty of the private and special laws of eighteen hundred and seventy nine is hereby amended so that it shall read as follows :

'SECT. 1. A police court shall be and hereby is established in and for the city of Belfast, in the county of Waldo, to be denominated the police court of the city of Belfast, which shall be a court of record, and have a seal, and consist of one judge, who shall reside in said Belfast, and be appointed and commissioned in the manner provided in the constitution, who shall have original and exclusive jurisdiction in all civil actions wherein the debt or damages do not exceed twenty dollars, except cases in which he is interested, in which both parties interested, or in which the party plaintiff, and the person or persons summoned as trustees shall be inhabitants of said Belfast, including prosecutions for penalties in which said city is interested, and actions of forcible entry and detainer, and all violations of the by-laws of said city, and concurrent jurisdiction with trial justices within said county, in all other civil matters which are by law within the jurisdiction of trial justices in said county, and exclusive jurisdiction over all criminal offenses within said city, and concurrent jurisdiction with trial justices within said county for all other criminal matters which are by law within the jurisdiction of trial justices in said county and original concurrent jurisdiction with the supreme judicial court in all personal actions in which the debt or damages do not exceed fifty dollars, and

are over twenty dollars, and the defendant or defendants are residents in said county of Waldo, but this jurisdiction shall not include proceedings under the divorce laws, complaints under the mill act, or proceedings under the divorce act, and any person aggrieved by any judgment rendered by said judge, may appeal therefrom to the supreme judicial court for said county, in like manner as from judgment of trial justices.'

Not to include divorce, mill, and bastardy proceedings.

SECT. 2. Section four of said chapter is hereby amended so that it shall read as follows :

Sec. 4, amended.

'SECT. 4. In case said judge shall be unable, by reason of sickness, absence from said city, or other disability, to attend at the time and place provided in the preceding section for transaction of civil business, said court shall stand adjourned until the next term, and so from term to term, without costs to either party, until the said judge is able to attend, and during the continuance of any such absence or disability of said judge, trial justices in said county shall have authority to exercise in all criminal matters the powers conferred by this act upon said judge.'

Inability of judge to attend, court to be adjourned without cost.

SECT. 3. Section five of said chapter is hereby amended by adding thereto the following words : '*Provided, however,* that the city council of said city of Belfast may, by an ordinance, establish a salary for said judge not exceeding one thousand dollars nor less than six hundred dollars per annum, to be paid by said city in quarter-yearly payments, in which case said judge shall account for and pay into the treasury of said city, all fees received by him in all criminal matters, except for copies.'

Sec. 5, amended.

Salary of judge.

SECT. 4. Said chapter is hereby further amended by adding thereto the following sections :

'SECT. 11. Trial justices are hereby restricted from exercising any jurisdiction, within said city of Belfast, over any criminal matter, except as provided in this act.'

Jurisdiction of trial justices in criminal matters, restricted.

'SECT. 12. When the office of judge of said court shall be vacant by death, resignation, or removal of the residence of said judge from said city, trial justices of said county of Waldo may perform within said city all acts and duties appertaining to the office of trial justice ; and all proceedings commenced during such vacancy shall be finally determined by the trial justice, before whom the same were commenced,

In case of vacancy, trial justices may perform duties of judge.

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or by some other trial justice within said county; and in case of such vacancy, all proceedings pending in said court shall stand continued to the term of said court next holden after such vacancy is filled.'

When act shall take effect.

SECT. 5. This act shall take effect on the first day of April, in the year of our Lord one thousand eight hundred and eighty-five.

Approved February 21, 1885.

Chapter 429.

An Act to amend "An Act to incorporate the Harrison Mutual Fire Insurance Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 287,
private laws of
1869, amended.

Section one of chapter two hundred and eighty-seven, of the private and special laws of eighteen hundred and fifty-nine, is hereby amended so as to read as follows:

Corporators.

'SECT. 1. Sumner Burnham, George Pierce, Silas Blake, Philander Tolman, Charles Thomes, Samuel Thomes, Benjamin F. Pierce, Amos P. Foster, Jonathan Whitney, Solomon L. Andrews, John E. Dunnels, John Dawes, Joshua Howard, Henry Roby, Stephen Blake, Edward K. Whitney, Albion K. Morse, Cyrus Haskell, Thomas R. Sampson, and all others who may hereafter become members of said company, in manner herein prescribed, are hereby incorporated

Corporate name.

and made a body politic, by the name of the Harrison Mutual Fire Insurance Company, for the purpose of insuring, in the town of Harrison only, *provided, however*, if the company so vote, they shall have the right to insure, in the manner hereafter described, in the town of Otisfield also, their respective dwelling houses, stores, shops, barns and other buildings, household furniture, merchandise and other property, against loss or damage by fire, whether the same happen by accident, lightning, or by any other means, excepting that of design in the insured; and may purchase and hold such real and personal estate as may be necessary to effect the object of this association, and may sell and convey the same at pleasure.'

May, by vote, insure property in town of Otisfield.

May hold real and personal estate.

Approved February 21, 1885.

Chapter 430.

An Act to amend an act entitled "An Act to incorporate Pond's Sheer Boom Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In addition to the powers contained in section three of said act hereby amended, the said Pond's Sheer Boom Company may lease to the said Sheer Boom Improvement Company mentioned in said third section, and their successors and assigns, all the franchises and powers given by the said act hereby amended, to the said Pond's Sheer Boom Company, and upon such lease being made, the said Sheer Boom Improvement Company, their successors and assigns, shall have all the powers, rights and duties as far as the same may be given by the lease that but for the lease would, under said act hereby amended and this act inure to, belong to or vest in the said Pond's Sheer Boom Company. *Provided, always,* that all the powers, rights and privileges granted by this act shall be in force, with power also in the Pond's Sheer Boom Company to make the lease or leases referred to in this section of this act, and in section three of the amended act, notwithstanding the tolls on the Saint John river and Aroostook river may be increased by the legislature of the Province of New Brunswick to the rates following, namely: For all timber, logs and lumber driven down the Saint John river, and which have passed over, through or by any of the booms of the said The Sheer Boom Improvement Company, on said Saint John river, as follows: five cents per thousand feet, board measure, on all such timber, logs and lumber, as may come into the Saint John river from the Maduxnekeag river, and from any point or place on the Saint John river below the mouth of the Maduxnekeag river and above the Macnaquack stream at the upper limits of the Fredericton Boom Company; eight cents per thousand feet; board measure, on all such timber, logs and lumber as may come into the Saint John river from the Presque Isle stream, and from any point or place on the Saint John river below said Presque Isle stream and above the said Maduxnekeag river; ten cents per thousand feet, board measure, on all such timber, logs and lumber as may come into the Saint John river at Little river, near the

Pond's Sheer Boom Co. may lease property to Sheer Boom Improvement Co.

Successors to have all powers, etc., of corporation.

Proviso.

Tolls, may be increased, where.

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Grand Falls, and from any point or place on the Saint John river below the said Little river and above the said Presque Isle Stream; thirteen cents per thousand feet, board measure, on all such timber, logs and lumber as may come into the Saint John river from Grand river, and from any point or place on the Saint John river below the said Grand river and above the said Little river; sixteen cents per thousand feet, board measure, on all such timber, logs and lumber as may come into the Saint John river from the Madawaska river, and from any point or place on the Saint John river below the Madawaska river and above the Grand river; eighteen cents per thousand feet, board measure, on all such timber, logs and lumber as may come into the Saint John river from Fish river, and from any point or place on the Saint John river below Fish river and above the Madawaska river, and twenty-one cents per thousand feet, board measure, on all such timber, logs and lumber as may come into the Saint John river at any point or place above Fish river, and seventeen cents per thousand feet, board measure, on all the logs, timber and lumber that may be driven down the Aroostook river and Saint John river to the mouth of the said Macnaquack stream, and which may pass over, by or through any booms of the Sheer Boom Improvement Company on the Aroostook river and Saint John river, and come into the Aroostook river at or below the Presque Isle stream which flows into the Aroostook river, and twenty cents per thousand feet, board measure, on all the logs, timber and lumber driven down the Aroostook river and the Saint John river to the mouth of the said Macnaquack stream, and which may pass over, through or by any of the said hereinbefore last mentioned booms on the Aroostook river and Saint John river, and that come into the Aroostook river above the said Presque Isle stream. And the said third section of said amended act is hereby further amended, so that the lease in said section referred to may be made to the successors and assigns of said Sheer Boom Improvement Company as well as to the said hereinbefore last mentioned company alone.

Tolls, how
increased.

SECT. 2. The tolls mentioned in said act hereby amended are and shall be hereby increased in manner following, namely: on all unrafted logs, timber and lumber that may come into the Aroostook river from the Presque Isle stream, and

from any point or place between the Presque Isle stream and the boundary line between the state of Maine and the province of New Brunswick, the said tolls shall be seventeen cents per thousand superficial feet, board measure, from said Presque Isle stream and point or place to the mouth of said Macnaquack stream, and on all logs, timber and lumber that may come into the Aroostook river above the said Presque Isle stream, the said tolls shall be the sum of twenty cents per thousand superficial feet, board measure, from above said Presque Isle stream to the mouth of said Macnaquack stream.

SECT. 3. All tolls granted and made payable by the said act hereby amended, and by this act, shall be a lien upon the logs, timber and lumber that may pass any boom or booms of the said Pond's Sheer Boom Company, or any boom or booms of the said Sheer Boom Improvement Company. *Provided, always,* that before the said Sheer Boom Improvement Company shall have a claim for such tolls, or any of them, or any part thereof, the lease or leases referred to in said act hereby amended and this act, shall be made, executed and delivered, and upon the lease or leases hereby referred to being executed and delivered, such lien may inure to the benefit of the said Sheer Boom Improvement Company, its successors or assigns, to the same extent and in the same manner as under the act hereby amended and this act, said lien could be used and enforced by the said Pond's Sheer Boom Company had no lease been made, and such lien may be enforced if any such lease be made in the province of New Brunswick by the said Sheer Boom Improvement Company, to the same extent and in a similar manner to what the Sheer Boom Improvement Company may enforce any lien given it by the legislature of New Brunswick.

Tolls shall be
lien on logs.

Proviso.

Lien, how en-
forced.

SECT. 4. That notwithstanding certain duties imposed by legislative authority on the said Pond's Sheer Boom Company may not be performed, the said last hereinbefore mentioned companies' powers and rights shall not in consequence thereof in any respect be interfered with, lessened or curtailed. *Provided always, however,* that the said hereinbefore last mentioned company shall, on being required so to do by any person or persons, or body corporate having power in the premises, or by any person or persons interested in the affairs of the said company hereinbefore last mentioned, pro-

Failure to perform
duties, shall not
affect rights of
successors.

Proviso.

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ceed with all reasonable speed, and within six months from being so required so far as the said Pond's Sheer Boom Company may be able to do so, to perform said unperformed duties.

Certain tolls may be collected in New Brunswick.

SECT. 5. That the tolls earned by the said The Sheer Boom Improvement Company on certain logs, timber and lumber that were driven down the Aroostook river during the season of the year of our Lord one thousand eight hundred and eighty-four, from the state of Maine, may be collected in the province of New Brunswick to the same extent in every particular, including a lien thereon, as if the lease referred to in the act hereby amended had been made, executed and delivered.

Tolls may be collected at once, on logs left below Grand Falls, and before reaching Fredericton boom.

SECT. 6. All of such logs, timber and lumber as may float into the Saint John river from the state of Maine, at some point above the Grand Falls and from the Aroostook river, but which, after reaching the Saint John river, and being below the Grand Falls, may not be driven to the said upper limits of the Fredericton Boom Company, but may be left for further driving at some subsequent time, shall be liable at once for all the tolls that would be upon the same if driven all the way to said upper limits, less ten cents per thousand feet thereof, board measure, and if any of the logs, timber and lumber referred to in the said amended act and in this act should be rafted by the owners thereof, or person or persons legally entitled to the possession thereof, at any point or place above the said upper limits of the Fredericton Boom Company, then and in such case all tolls given and granted by the said amended act and this act shall be and become due and payable in the same way and manner, and to the same extent as if driven without being rafted, to said upper limits of said Fredericton Boom Company.

Powers which may be granted to successors by legislature of New Brunswick, to apply to logs that come into St. John river from Maine.

SECT. 7. If the legislature of the province of New Brunswick shall at any time hereafter grant unto the said The Sheer Boom Improvement Company, either by that name or any amended name, log driving powers on the river Saint John, in said province; between the Grand Falls, on said river, and the boundary line on the Aroostook river, between the state of Maine and the province of New Brunswick, and the upper limits of the Fredericton Boom Company at Macnaquack stream, then, and in such case, all such log driving powers

and duties shall appertain to, and apply to all logs, timber and lumber that may come into the said Saint John river from any point or place in the state of Maine, to the same extent and manner in all particulars as if such logs, timber and lumber had come into said Saint John river from any point or place in the province of New Brunswick or the province of Quebec. *Provided, always*, that so far as any logs, timber and lumber that may come into the Saint John river from the state of Maine are concerned, if such log driving powers should be granted as aforesaid, then, and in such case, the Sheer Boom tolls, granted and provided for in this act, below the head of the Grand Falls, and below the boundary line on the Aroostook river, shall, during the continuance of such log driving powers, be, and remain in abeyance. *Provided, however*, also that the log driving tolls shall not exceed the following rates, namely: twenty-five cents per thousand feet, board measure, from said boundary line on the Aroostook river, or from the head of said Grand Falls, and above the mouth of the Tobique river to said upper limits of the said Fredericton Boom Company; twenty cents per thousand feet, board measure, from the mouth of said Tobique river and above the mouth of the Presque Isle stream to said upper limits of the Fredericton Boom Company; eighteen cents per thousand feet, board measure, from said Presque Isle stream and above the mouth of the Maduxuekeag stream to said upper limits of the Fredericton Boom Company, and fifteen cents per thousand feet, board measure, from the mouth of the Maduxuekeag stream to the said upper limits of the Fredericton Boom Company; and *provided, also*, that if such log driving powers should be granted as aforesaid, the Sheer Boom tolls, hereinbefore provided for by this act, above the said boundary line on the Aroostook river, and above the said Grand Falls, shall be reduced in each case by the sum of ten cents. And *provided, also*, that if such log driving powers should be granted as aforesaid, then and in such case all Sheer Boom tolls, that may lawfully be chargeable under this act, or said amended act, or any act passed or to be passed by the legislature of the province of New Brunswick, upon logs, timber and lumber cut and procured in the state of Maine, shall, so far as the tolls may relate to logs, timber and lumber coming down the Saint John river from above and to the

Provided.

Rate of tolls in
certain waters,
fixed.

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—when due.

Grand Falls, and from above and to said boundary line on the Aroostook river, become due and payable on such logs, timber and lumber so soon as the same shall reach the Grand Falls, and said boundary line respectively.

Tolls on logs in
Aroostook river.

SECT. 8. That if said log driving powers should be granted as aforesaid, then and in such case the Sheer Boom tolls granted on logs, timber and lumber coming down the Aroostook river from the mouth of the Presque Isle stream to the boundary line aforesaid, shall be the sum of seven cents per thousand superficial feet, board measure; and from above the Presque Isle stream on said Aroostook river, ten cents per thousand superficial feet, board measure.

Duty to maintain
booms on Aroos-
took and St. John
rivers.

SECT. 9. It shall be the duty of the said Sheer Boom Improvement Company, in the years of our Lord one thousand eight hundred and eighty-five and one thousand eight hundred and eighty-six, either in its present name, or any amended name that it may hereafter have or get, to put, place, maintain and operate upon the said Aroostook river, two thousand feet of booms, and upon the Saint John river, above the Grand Falls, two thousand feet of booms, in addition to the length of booms now operated by said company on the said Aroostook river and the said Saint John river respectively, and in like manner after the said year of our Lord one thousand eight hundred and eighty-six, to maintain and operate such additional booms.

Duty of Sheer
Boom Improve-
ment Co., to main-
tain booms, etc.

SECT. 10. It shall be the duty of the said Sheer Boom Improvement Company, either in its present name or any amended name it may have or get, to maintain on the Aroostook river, and on the Saint John river above the Grand Falls, respectively, the booms that it has been accustomed to keep and maintain in said rivers, and in the respective places on said rivers where it has so maintained and kept the same hitherto, and in addition thereto it shall also be its duty to put, place, maintain and keep the additional two thousand feet of booms hereinbefore provided for, on each of said rivers at the said last mentioned places as the exigencies of the business may require, and it shall also be the duty of the said company to drive all logs, timber and lumber that may come to any of the places referred to in this section of this act past such places with all reasonable dispatch.

Approved February 23, 1886.

Chapter 431.

An Act to regulate the taking of fish in the town of Garland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No fish of any kind shall be taken, and no attempt shall be made to take any fish, from Garland village pond, J. F. Crowell's pond, so called, Holt's Mills pond, so called, all within the town of Garland, county of Penobscot, with hook and line, or in any way, except in that portion of the year commencing from the fifteenth day of May and ending on the first day of November, under a penalty of not less than ten dollars, nor more than thirty dollars for each attempt made, and a penalty of not less than one dollar nor more than five dollars for each fish taken, to be recovered on complaint before any trial justice or municipal court of said county, or by an action of debt commenced in the supreme judicial court; the plaintiff recovering, shall recover full costs, without regard to the amount recovered. One-half of all penalties recovered as aforesaid shall go to the use of the complainant, and one-half to the use of the county in which said penalties are recovered.

Close time for fish in certain waters in Garland, between May 15 and Nov. 1.

Penalty for violation.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 432.

An Act to repeal an act entitled "An Act to incorporate the town of Lexington."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The act entitled "An Act to incorporate the town of Lexington," approved March four, eighteen hundred and thirty-three, is hereby repealed; *provided*, that the corporate existence, powers, duties and liabilities of said town shall survive for the purpose of prosecuting and defending all actions and causes of action to which such town is a party, and collecting payment of all claims and demands now existing in favor of or against said town, and all needful processes growing out of the same.

Act to incorporate the town of Lexington repealed.

Proviso.

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If plantation is
organized, may
assume existing
liabilities of town.

—may discharge
liabilities.

When act shall
take effect.

SECT. 2. In case a plantation is organized within the territory and embracing the limits of such town of Lexington, such plantation may, at a meeting legally called by a warrant and containing an article for that purpose, by vote, assume all the outstanding liabilities of such town on the day when this act takes effect, and in case such plantation so votes, they shall have the authority to raise the money by loan upon plantation orders or notes, which shall be valid claims upon such plantation, with which to discharge such liabilities, and thereupon all the property and assets of such town shall become the property of and vested in such plantation, and the provisions of chapter sixty-five of the public laws of eighteen hundred and eighty-one shall not apply to such plantation.

SECT. 3. This act shall take effect when accepted by a majority of the legal voters of Lexington present and voting at any legal meeting of said town.

Approved February 24, 1885.

Chapter 433.

An Act to extend the time for Monson Hotel Company to navigate Lake Hebron.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Time to navigate
Hebron lake,
extended.

The Monson Hotel Company, its successors and assigns, shall have a further time of two years from January one, eighteen hundred and eighty-five, within which to navigate Lake Hebron, otherwise known as Hebron pond, in the town of Monson, in accordance with the provisions of chapter one hundred and ninety-one of the private and special laws of Maine for eighteen hundred and eighty-three.

Approved February 24, 1885.

Chapter 434.

An Act to incorporate the Blethen House Waterworks Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. William D. Blethen, his associates, successors and assigns, are hereby incorporated and made a body politic by the name of the Blethen House Waterworks Company, for the purpose of supplying the inhabitants of the village of Dover, in the county of Piscataquis, with pure fresh water.

Corporators.

Corporate name.

Purposes.

Location.

SECT. 2. Said Company is hereby authorized to complete and maintain an aqueduct from the land in said Dover conveyed by H. L. Brockway to William D. Blethen by deed dated December twenty-four, eighteen hundred and eighty-three, and recorded in Piscataquis registry of deeds, volume eighty-eight, page three hundred and sixty-six, to the village of said Dover, and from thence to such parts of said village as may be convenient or necessary to furnish to the inhabitants thereof a supply of fresh water from said aqueduct.

SECT. 3. Said company is hereby authorized to complete and maintain said aqueduct through the lands where it has already been constructed, and across and within the limits of town and county roads, in suitable places therefor, and shall have all the powers and privileges, and be subject to all the duties and liabilities of similar corporations, as defined by the laws of the state.

Authorized to maintain aqueduct.

Powers and duties.

SECT. 4. Persons claiming damages to lands or otherwise, by reason of the construction of said aqueduct, if unable to agree with said company upon the amount thereof, may have the same determined, at any time within three years, by the county commissioners, in the same manner that damages are determined for land taken by railroad corporations.

Damages, how determined.

Approved February 24, 1885.

Chapter 435.

An Act to amend chapter two hundred and ninety of the private and special laws of eighteen hundred and eighty, relating to compensation of Claim Agent.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 290,
Private laws of
1880, amended.

Section one of chapter two hundred and ninety of the private and special laws of eighteen hundred and eighty is hereby amended by inserting after the words "United States," in the sixth line of said section, the words 'excepting claims of the state arising from and on account of war taxes under acts of Congress in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two,' so that the whole section as amended shall read :

Treasurer of state
authorized to pay
agent of state,
commission on
moneys collected
from U. S.

'SECT. 1. The treasurer of the state of Maine is hereby authorized, empowered and directed to pay to the agent of said state, duly appointed and authorized by the governor to prosecute to final decision in the departments at Washington any and all unadjusted claims of every nature of said state against the United States, excepting claims of the state arising from and on account of war taxes under acts of Congress in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, as compensation for his services and for expenses of every kind, fifteen per cent out of all the money or moneys received by the state as contemplated by this act, to be paid to the treasurer as fast as such claims shall be collected ; the remainder of the money or moneys so received shall be covered into the state treasury by the treasurer ; *provided*, that no money or moneys secured to the state in pursuance of this act shall be paid to said agent by the United States, but the same shall be paid to the state treasurer, and by him disposed of as aforesaid.'

Approved February 24, 1885.

Chapter 436.

An Act for the protection of trout and land-locked salmon in Misery and Saccatien or Socation rivers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No person shall take, catch, kill, fish for or destroy any trout, land-locked salmon or other fish in the Misery and Saccatien or Socation rivers which empty into Moosehead lake, from the tenth day of September to the first day of May.

Close time for trout and land-locked salmon in certain waters between Sept. 10 and May 1.

SECT. 2. Any person who shall violate the provisions of this act shall forfeit and pay the sum of twenty-five dollars for the attempt and one dollar for each and every trout, land-locked salmon or other fish so taken, caught, killed or destroyed, to be recovered by complaint before any trial justice, one-half to the complainant and one-half to the county where proceedings are commenced.

Penalty for violation.

Approved February 24, 1885.

Chapter 437.

An Act to renew chapter one hundred and forty-three of the Private and Special Laws of eighteen hundred and sixty-six, entitled "An Act to enable the City of Belfast to build and maintain a free bridge over tide waters "

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All the rights and privileges granted to the city of Belfast by chapter one hundred and forty-three of the private and special laws of eighteen hundred and sixty-six, are hereby renewed.

Belfast authorized to maintain free bridge.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 438.

An Act to incorporate the Biddeford and Saco Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.	SECT. 1. Stephen F. Shaw, Esreff H. Banks, Francis G. Warren, Simon Newcomb, Charles A. Moody, Charles H. Prescott, Carlos Heard, Zopher R. Folsom, Joseph W. Hobson, Joseph F. Dearing, Joseph G. Deering, Horace Woodman and Stephen S. Mitchell, their associates and successors, are
Corporate name.	hereby constituted a corporation by the name of the Biddeford and Saco Railroad Company, with authority to construct, maintain and use, a railroad to be operated by horse power, with convenient single or double tracks, from such point or
Route.	points in the city of Biddeford, and over such streets and bridges therein, as shall from time to time, be fixed and determined by the municipal officers of said city of Biddeford and assented to in writing by the directors of said corporation, to the boundary line between said city and the city of Saco, and thence over and upon such streets and bridges therein as from time to time may be fixed by the municipal officers of said city and assented to in writing by the directors aforesaid, to some point at or near the junction of Main and King streets, or to such other point or points in said city of Saco as may in like manner from time to time, be fixed and determined by the municipal officers of said city and assented to in writing by the directors aforesaid. Said corporation shall also have authority to construct, maintain and use said railroad, over and upon any lands where the land damages have been mutually settled by said corporation and the owners thereof; <i>provided, however,</i> that all tracks of said railroad shall be laid at such distances from the sidewalks of said cities of Biddeford and Saco as the municipal officers thereof respectively shall, in their order fixing the routes of said railroad, determine to be for public safety and convenience. The written assent of the directors aforesaid to any vote or votes of the municipal officers of either of said cities, prescribing from time to time the routes of said railroad, shall be filed with the respective clerks of said cities, and shall be taken and deemed to be the location thereof. Said corporation shall have power from time to time to fix such rates of compensation for transporting
Powers and duties.	

persons or property as it may think expedient, and generally shall have all the power and be subject to all the liabilities of corporations, as set forth in the forty-sixth chapter of the revised statutes. Rails shall not be laid down in said cities without the assent of the municipal officers thereof respectively. The original location of the route when granted shall be for the term of twenty-five years. The same may be renewed from time to time for a term not exceeding twenty-five years at any one time by said municipal officers, upon such terms as they may deem expedient. No such renewal shall be granted prior to two years before the expiration of the location then established. No location shall be granted or renewed except upon reasonable prior notice to all parties interested. If at the expiration of any of said terms the use of the streets, roads or highways occupied by said company's railroad is granted by the municipal officers of either of the said cities, or both, to any other corporation or person, it shall be upon condition that such corporation or person shall purchase of said company all its property of every description in necessary use for the purposes of said railroad upon such terms as may be agreed upon by the parties or determined by persons selected by them, and if they are unable to agree, the value of the same shall be determined by three disinterested persons appointed by a judge of the supreme judicial court, on application of either party and hearing thereon. Said appraisers shall be sworn, give notice of the time and place of their meeting to examine, and appraise said property, and shall make to each party a written award, and their services shall be paid in equal proportion by the parties. If the municipal officers of either of the said cities, or both, determine that at the expiration of any of said terms the use of the streets, roads or highways occupied by said company's railroad shall be granted to any person or corporation, for the purposes of a horse railroad, on the payment of any sum of money yearly, or in any other manner, said company shall have the preference, and such use shall be granted or renewed to said company, *provided*, it will pay as much therefor as any other corporation or person.

Location to be for twenty-five years.

—cannot be renewed except upon notice.

—if granted to another corporation, it shall purchase property of the company.

Corporation to have preference of renewal, at expiration of charter.

—proviso.

To be operated by horse power.

SECT. 2. Said railroad shall be operated and used by said corporation with horse power only. The municipal officers of said cities of Biddeford and Saco, respectively, shall have

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—regulations.

power at all times to make all such regulations as to the rates of speed and removal of snow and ice from the streets, roads and highways by said company, at its expense, and mode of use of the tracks of said railroads, within said cities, as the public convenience and safety require.

Duties.

SECT. 3. Said corporation shall keep and maintain in repair such portions of the streets as shall be occupied by the tracks of its railroad, and shall make all other repairs of said streets which, in the opinion of the municipal officers of said cities, respectively, may be rendered necessary by the occupation of the same by said railroad, and if not repaired within reasonable notice, such repairs may be made by said cities respectively, at the expense of said corporation, and said corporation shall be liable for any loss or damage which any person may sustain by reason of any carelessness, neglect or misconduct of its agents or servants.

Penalty for obstructing corporation.

SECT. 4. If any person shall wilfully or maliciously obstruct said corporation in the use of its road or tracks, or the passing of the cars or carriages of said corporation thereon, such person, and all who shall aid and abet therein, shall be punished by a fine not exceeding two hundred dollars, or may be imprisoned in the county jail for a period not exceeding sixty days.

Capital stock.

SECT. 5. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each, and no share shall be issued for less than the par value.

May hold real estate.

SECT. 6. Said corporation shall have power to purchase and hold such real estate as may be necessary and convenient for the purposes and management of said railroad.

Municipal officers to prescribe manner, etc., of construction.

SECT. 7. Said railroad shall be constructed and maintained in such form and manner, and with such rail and upon such grade as the municipal officers of said cities of Biddeford and Saco, respectively, shall from time to time prescribe and direct; and whenever, in the judgment of said corporation, it shall be necessary to alter the grade of any street occupied by its railroad, said alterations may be made at the sole expense of said corporation, *provided*, the same shall be assented to by the municipal officers of said cities of Biddeford and Saco respectively. If the tracks of said railroad cross any other railroad of any kind, in either of said cities, and a dis-

pute arises in any way in regard to the manner of crossing, said municipal officers of the city in which said proposed crossing is to be made, shall upon hearing decide and determine, in writing, in what manner the crossing shall be made, which shall be constructed accordingly.

SECT. 8. Nothing in this act shall be construed to prevent the proper authorities of said cities, respectively, from entering upon and taking up any of the streets, occupied by said railroad for any purposes for which they may now lawfully take up the same.

Authority of the cities over streets not abridged.

SECT. 9. This act shall be void unless the same shall be accepted by said corporation, and ten per cent of the capital stock thereof be paid within five years from its passage.

Act void, when.

SECT. 10. Said corporation is hereby authorized to issue bonds for the purpose of constructing its railroad, or for money which it may borrow for any purpose sanctioned by law, but the bonds so issued shall not exceed the amount of the capital stock paid in by the stockholders. Said bonds may be issued in sums of not less than fifty dollars each, payable in not more than twenty years from their date, with interest at a rate to be determined by the directors of said corporation, payable semi-annually.

May issue bonds.

SECT. 11. Such bonds shall be approved by a majority of the finance committee of said corporation, who shall certify that each of said bonds is properly issued and recorded upon the books of said corporation. All bonds and notes which shall be issued by said corporation shall be binding and collectable in law, notwithstanding such bonds or notes may be negotiated and sold by said corporation or its agents at less than their par value.

—to be approved by finance committee.

SECT. 12. Said bonds shall be secured by a conveyance of the corporate property to three trustees by a suitable instrument of mortgage to secure the payment of said bonds.

—how secured.

SECT. 13. Said corporation shall pay semi-annually to said trustees a sum equal to one per cent on the amount of said bonds for the purpose of creating a sinking fund. Said trustees shall have the management and care of all moneys, funds and securities belonging to said sinking fund, and they shall from time to time, at their discretion, invest the moneys on hand securely, and so that the same shall be productive, and the same may be invested in the bonds of said corporation,

Sinking fund provided for.

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Provisions of
general law rela-
tive to mortgages,
applicable.

secured as aforesaid, or loaned on interest to any county, city or town, or any bank in this state, or the same may be loaned on interest, well secured by a first mortgage of real estate, to an amount not exceeding one-half the value thereof, or by pledge of the scrip or stock of any of the New England states, or of any city, county or town as aforesaid; and the said fund, with the accruing interest, shall constitute a sinking fund for the payment and redemption of said bonds.

SECT. 14. The provisions of the fifty-first chapter of the revised statutes, relative to the foreclosure and redemption of mortgages, are hereby made applicable to said bonds and to said mortgages made to secure the same, but said corporation shall not be subject to the other general provisions of the law relating to railroads.

SECT. 15. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 439.

An Act to cede to the United States jurisdiction over certain land in Augusta.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Jurisdiction over
certain land ceded
to the United
States.

Proviso.

SECT. 1. That there be and hereby is ceded to the United States of America the jurisdiction of such lot or parcel of land as may be selected in the city of Augusta, as a site for a public building in said place; *provided, always*, that this cession of jurisdiction is granted and made upon the express condition that the state of Maine shall retain a concurrent jurisdiction with the United States in and over the said tract of land and every portion thereof, so far, that all process, civil or criminal, issuing under the authority of said state, or any officers thereof, may be executed by the proper officers thereof, upon any persons amenable to the same, within the limits and extent of said tract of land, in like manner and to like effect as if the said jurisdiction had not been ceded, saving however, to the United States security to their property within the limits and extent of such lot as may be selected, an exemption of the same and the said tract of land from any taxation under the authority of said state or city,

whilst the same shall continue to be owned, held, used and occupied by the United States as a site for a public building, and not otherwise.

SECT. 2. If compensation for such land is not agreed upon, the estate may be taken for the intended purpose by payment of a fair compensation, to be ascertained and determined in the same manner as, and by proceedings similar to those provided for ascertaining damages in locating highways, in chapter eighteen of the revised statutes.

Compensation for,
how determined.

SECT. 3. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 440.

An Act additional to and amendatory of an act entitled "An Act to incorporate the Bangor and Brewer Steam Ferry Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. An Act to incorporate the Bangor and Brewer Steam Ferry Company, approved February eight, eighteen hundred and eighty-three, is hereby amended in its first section by striking therefrom the name of Frank W. Lincoln, of Bangor, so that said section as amended, shall read as follows:

Sec. 1, ch. 197,
private laws of
1883, amended.

'SECT. 1. Henry J. Leach and Charles J. Burr, both of Brewer, successors and assigns, are hereby constituted a body corporate, by the name of the Bangor and Brewer Steam Ferry Company, with power to take and hold by lease or purchase, such real and personal property as may be necessary to effect the objects of this charter. They shall also have and enjoy the powers and rights usual and incident to such corporations.'

Corporators.

Corporate name.

Powers.

SECT. 2. Said act is further amended by striking out the word "two" in the ninth section, and inserting the word 'three' in place of it, so that the ninth section as amended shall read as follows:

Sec. 9 amended.

'SECT. 9. Unless the ferry hereby authorized is established and put in operation within three years from the approval of this act, then the same shall be void. And said act so amended is continued in force.'

Charter void unless ferry is in operation within three years.

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Doings of corporators, ratified.

SECT. 3. The acts and doings of the corporators named in said act, at a meeting held by them, in Bangor, January sixteen, eighteen hundred and eighty-five, in voting to accept the charter granted them by said act, and in choosing officers and organizing the corporation, are hereby ratified, confirmed and made valid, but not so as to grant to said Lincoln any interest in or rights to or under the amended charter.

SECT. 4. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 441.

An Act to repeal an act entitled "An Act to incorporate the town of Kingsbury."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Act to incorporate the town of Kingsbury, repealed.

SECT. 1. The act entitled "An Act to incorporate the town of Kingsbury," approved March twenty-two, eighteen hundred and thirty-six, being chapter one hundred and forty-six of the special laws of Maine, of the year eighteen hundred and thirty-six, is hereby repealed; *provided, however*, that the corporate existence, powers, duties and liabilities of said town shall survive for the purpose of prosecuting and defending all pending suits and causes of suits to which said town is, or may be a party, and all claims and demands subsisting in favor of or against said town, and all needful processes growing out of the same, and for the further purpose of providing for payment of any judgment which may be recovered against said town.

Liabilities and pending suits, to survive.

Provisions of act apply to school district.

SECT. 2. The provisions of this act shall apply to any school district in said town, so far as the same is applicable.

Approved February 24, 1885.

Chapter 442.

An Act to make valid the acts of the inhabitants of Dallas Plantation, in annual plantation meeting in the year eighteen hundred and eighty-four.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

All acts of the inhabitants of Dallas Plantation in their annual plantation meeting in the year eighteen hundred and eighty-four are hereby made legal and valid.

Acts of Dallas
plantation made
legal.

Approved February 24, 1885.

Chapter 443.

An Act to amend an act entitled "An Act to incorporate the Shirley Dam Company," approved March six, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter three hundred and fourteen of the private laws of eighteen hundred and eighty-three is hereby amended by striking out the words "towns of Shirley and Blanchard in the county of Piscataquis" in the fourth line thereof and substituting therefor the words 'counties of Piscataquis and Somerset, to the east line of the town of Blanchard, and the right to erect side dams, and to remove rocks and improve the bed of the main channel of the Piscataquis river from said east line of Blanchard to the town bridge crossing said river in the town of Milo ;' by inserting after the word "Piscataquis" in the thirteenth line thereof, the words 'and by the county commissioners for the county of Somerset ;' and by adding after the word "mills" in the last line thereof, the words 'and said corporation may shut down their dams from the first of March to the first of July, and the mill owners on said Piscataquis river and its branches and tributaries, either one or all, may hoist the gates of said dams of said corporation at any time, excepting as aforesaid, at their own pleasure and expense ; and if said mill owners desire to shut down said dam or dams between the first day of July and the first day of March, they shall before so doing, properly gravel the same, to protect and make them safe.' So that said section as amended, shall read as follows :

Sec. 2, ch. 314,
private laws of
1883, amended.

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Authorized to
build dams, etc.

—may take lands.

Land damages,
how ascertained.

Damages for flow-
age, remedy for.

Sec. 3 amended.

'SECT. 2. The said corporation is authorized to build dams, side-dams, remove rocks and make other improvements in so much of Piscataquis river, its branches and tributaries, as are in the counties of Piscataquis and Somerset, to the east line of the town of Blanchard, and the right to erect side-dams and to remove rocks and improve the bed of the main channel of the Piscataquis river from said east line of Blanchard to the town bridge crossing said river in the town of Milo, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the lands and materials so taken, such damages as shall be ascertained and determined by the county commissioners for the county of Piscataquis, and by the county commissioners for the county of Somerset, in the same manner and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways; and for the damage occasioned by flowing land, the said corporation shall not be liable to an action at common law; but the person injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute for flowing lands occasioned by raising a head of water for the working of mills. And said corporation may shut down their dams from the first of March to the first of July; and the mill owners on said Piscataquis river and its branches and tributaries, either one or all, may hoist the gates of said dams of said corporation at any time, excepting as aforesaid, at their own pleasure and expense; and if said mill owners desire to shut down said dam or dams between the first day of July and first day of March, they shall, before so doing, properly gravel the same, to protect and make them safe.'

SECT. 2. Section three of said act is hereby amended by adding after the word "cease" in the last line of said section, the words, 'but the above tolls shall in no case apply to any lumber put into Shirley mill stream and manufactured at Blanchard mills, nor to any lumber put in below Blanchard mills

and stopped and manufactured at Abbot, Foxcroft and East Dover,' so that said section as amended, shall read as follows :

'SECT. 3. The said corporation may demand and receive Tolls fixed. a toll for the passage of logs over their said dams and improvements, of twenty-five cents for each thousand feet, board measure, woods scale, except for the logs put into said waters below the south line of Shirley, the toll on which shall be fifteen cents for each thousand feet, board measure, woods scale, nor shall any toll be levied or collected on any logs or lumber put into the Piscataquis below Foxcroft; and said corporation shall have a lien upon all logs which may —lien for payment of. pass over any of its said dams and improvements for the payment of said tolls, but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs, or a major part of them, shall arrive at the Penobscot boom, or place of manufacture, said corporation may seize such logs —how enforced. and sell at public auction so many thereof as shall be necessary to pay such toll and costs and charges, notice of the time and place of such sale being first given in some newspaper printed in Bangor; and when said corporation shall, from tolls, be reimbursed for its expenditures and six per cent interest thereon, the tolls shall cease. But the above tolls, shall in no case apply to any lumber put into Shirley mill stream and manufactured at Blanchard mills, nor to any lumber put in below Blanchard mills and stopped and manufactured at Abbot, Guilford, Foxcroft and East Dover, nor on logs and lumber driven down the Kingsbury branch and intersecting the main river at Abbot village.'

Cost of damage how paid.

Tolls not to apply to certain streams

Dams, etc already built, approved.

SECT. 3. Any dams or improvements already made by said corporation outside of the original charter limits but within the limits established by this act, are hereby approved and shall be covered by this act.

SECT. 4. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 444.

An Act to incorporate the Phillips Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Samuel Farmer, Francis M. Jordan, Edwin T. Gile, and Nathaniel I. Jordan, with their associates and successors, are hereby made a corporation by the name of the Phillips Water Company, for the purpose of furnishing to the people of Phillips, a supply of pure water for domestic, mechanical and manufacturing purposes, and to the town of Phillips, water for the extinguishment of fires and other public uses, with all the rights, privileges and immunities incident to similar corporations.

Corporate name.

Purpose.

May hold real estate.

—issue stock.

Authorized to take water.

SECT. 2. Said corporation may acquire and hold real and personal estate, necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred thousand dollars ; may sell and convey the same ; may issue certificates of stock to an amount not exceeding the amount of its capital stock, and may issue and sell bonds to an amount not exceeding one-half of its capital stock actually paid in, to aid in the construction of works.

—land.

SECT. 3. Said corporation is hereby authorized for the purposes aforesaid, to take, hold, convey to, into and through the village of Phillips, water from all springs, artesian wells and running streams, situate in the town of Phillips, or in its vicinity, to which said corporation may at any time acquire title, by purchase or otherwise ; and also may take and hold, by purchase or otherwise, any land, or real estate or easement therein, necessary for forming reservoirs, and for laying and maintaining conduits for carrying and distributing, discharging and disposing of water, and for providing an additional supply of water at any time, by pumping or otherwise, and for any other object necessary, convenient and proper for the purposes of this act.

—construct conduits, etc.

SECT. 4. Said corporation may construct conduits, in manner aforesaid, from their sources of water supply to, into and through said town of Phillips, and secure and maintain reservoirs, dams, and heads of water ; may erect and maintain hydrants, stand pipes, and all usual fire guards, public and private ; may build and maintain pumping stations, and buildings, constructions and appliances for using water for

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domestic, mechanical and manufacturing purposes; and may establish regulations for the use of the water, and fix and collect the prices and rents to be paid therefor. And said corporation is hereby authorized, for the purposes aforesaid, having first obtained the permission of the municipal officers of said town, and under such restrictions and regulations as said municipal officers may prescribe, to lay down, in and through the streets, highways and lands of said town, and take up, replace and repair all such conduits, pipes and fixtures, as may be necessary for the objects of its incorporation; to carry and lay conduits and pipes under any water course, railroad or private way, and to cross any drain or sewer, or, if necessary, to change its direction in such manner as not to obstruct the use thereof; and to enter and dig up any such street, road or way, for the purpose of laying down pipes beneath the surface thereof, for erecting and placing hydrants or other fixtures, and for maintaining and repairing the same, and in general to do any other acts and things necessary, convenient and proper to be done for the purposes of this act.

—fix rates.

—lay pipes.

—cross or change direction of any sewer.

SECT. 5. Said corporation shall be liable to pay all damages that shall be sustained by any person or persons in their property, by the taking of any land, or excavating through any land, for the purpose of laying down or constructing reservoirs, and if any person sustaining damage as aforesaid, and said corporation, shall not mutually agree upon the sum to be paid therefor, such person may cause his damage to be assessed in the manner, and under the same conditions, restrictions and limitations as are by law prescribed in case of damage by laying out highways.

Damages, how assessed.

SECT. 6. Said corporation, at all times, after it shall commence receiving pay for water supplied by it, shall be bound to furnish, at reasonable rates, to the inhabitants of said town of Phillips, in their corporate capacity, water for the extinguishment of fires, and for other public uses, upon reasonable demand therefor by the municipal officers.

Shall furnish water for public uses.

SECT. 7. Any person who shall wilfully or maliciously corrupt the waters of any of the sources of supply or reservoirs of said corporation, or render them impure, or who shall throw or leave any offensive matter or materials upon them when frozen over, or who shall wilfully injure any dam,

Penalty for corrupting waters, etc.

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reservoir, conduit, pipe, hydrant, engine, water wheel, or other property held, owned or used by said corporation for the purposes of this act, shall pay three times the amount of damages to said corporation, to be recovered in any proper action; and every such person, on conviction of either of said acts aforesaid, shall be punished by fine not exceeding five hundred dollars, and by imprisonment not exceeding one year.

Officers.

SECT. 8. The affairs of said corporation shall be controlled by a board of directors, consisting of not less than three members, and elected annually by vote of the stockholders of the corporation; and the board of directors shall choose such other officers as may, from time to time, be required by the by-laws of the corporation.

First meeting,
how called.

SECT. 9. The first meeting of said corporation may be called by written notice signed by two of the corporators, and posted conspicuously in two or more public places in said village, five days before the time fixed for said meeting.

SECT. 10. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 445.

An Act to incorporate the People's Trust Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.

SECT. 1. George W. Wheeler, Hiram Holt, George M. Currier, A. S. Butterfield, Hiram Ramsdell, and Elbridge T. Smith, of Farmington, and Nathaniel B. Beal, of Phillips, their associates and successors, are hereby created a corpora-

Corporate name.

tion by the name of the People's Trust Company, to be located at Farmington, in the county of Franklin, for the purpose of receiving on deposit, money, securities, stocks, bonds, coin, valuable papers, evidences of debt, documents and other property, and of collecting and disbursing the principal, interest and income of said property, and may act as agents for the purpose of registering and countersigning bonds, stocks, certificates, or evidences of debt; and may

Purposes.

Powers.

also hold by grant, assignment, transfer, devise, or bequest,

any real or personal estate on trusts duly created, and execute such trusts on such terms as may be established or agreed upon with reference thereto; and may also receive money on deposit, on such terms and conditions as may be established or agreed upon with reference thereto, and may also hold real estate for its own purposes.

SECT. 2. Said corporation shall, at all times have on hand in lawful money and United States bonds, as a reserve, not less than twenty-five per cent of the aggregate amount of all its deposits which are subject to withdrawal on demand; *provided*, in lieu of lawful money, one third of said twenty-five per cent may consist of balances payable on demand, due from any national or state banks.

Shall keep reserved fund in lawful money.

Proviso.

SECT. 3. Any administrator, assignee, guardian or trustee, any court of law or equity, including courts of probate and insolvency, may deposit or direct any moneys, bonds, stocks, coin, valuable papers, documents and evidences of debt, to be deposited with said corporation.

Trust funds may be deposited with.

SECT. 4. The capital stock of said corporation shall be fifty thousand dollars, with right to increase the same at any time, by vote of a majority of its shareholders to five hundred thousand dollars, to be divided into shares of not exceeding one hundred dollars each. Said corporation shall not commence business until the sum of fifty thousand dollars shall have been paid in, in cash, and no certificate of shares shall be issued until the par value of the same has been fully paid.

Cap'tal stock.

SECT. 5. All the corporate powers of said corporation, shall be exercised by a board of five or seven trustees and such officers and agents as they shall appoint. Said trustees shall be sworn to the faithful performance of the duties of their office. They shall be elected annually, and shall hold their offices until others are chosen and qualified in their stead, and shall see to the proper investment of the deposits and funds of the corporation, and may invest or loan the same in notes, bonds, mortgages, or in any other manner not inconsistent with the by-laws of said corporation.

Trustees.

—elected annually.

SECT. 6. The shareholders of this corporation shall be individually responsible, equally and ratably, and not one for the other, for all contracts, debts and engagements of said corporation to the extent of the amount of their stock therein,

Liability of stockholders.

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at the par value thereof, in addition to the amount invested in such shares.

Deposits shall
pay state tax.

SECT. 7. The deposits in said corporation shall pay to the state treasurer a tax at the same rate as deposits in savings banks in this state, and said corporation shall make the same return to the treasurer of the state for the purpose of taxation as are required from savings banks.

Bank examiner
shall examine
annually, at
least.

SECT. 8. Said corporation shall be subject to examination by the bank examiner, who shall visit it at least once in every year, and as much oftener as he may deem expedient. At such visits he shall have free access to its vaults, books and papers, and shall thoroughly inspect and examine all the affairs of said corporation, and make such inquiries as may be necessary to ascertain its condition and ability to fulfil all its engagements. He shall preserve in a permanent form, a full record of his proceedings, including a statement of the condition of said corporation. A copy of said statement shall be published by said corporation immediately after the examination of the same, in some newspaper published in Farmington.

—record pro-
ceedings.

SECT. 9. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 446.

An Act authorizing the extension of the Bangor and Katahdin Iron Works Railway.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company author-
ized to extend
railway.

The Bangor and Katahdin Iron Works Railway Company is hereby authorized to extend its railway from Katahdin Iron Works to a point of connection with the railway of the International Railway Company of Maine, wherever the same shall be built, or to a point of connection with any railway which may be constructed to the north of Moosehead Lake.

Approved February 24, 1885.

Chapter 447.

An Act to incorporate the Ellis River Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That Gulen C. Moses, Edward Plummer, Ezra Cross, Mark P. Emery, their associates, successors and assigns, are hereby created a body politic and corporate by the name of the Ellis River Improvement Company, with all the powers and privileges of similar corporations. The capital stock of said corporation shall not exceed five thousand dollars in shares of twenty-five dollars each.

Corporators.

Corporate name.

SECT. 2. Said corporation may construct and maintain as many dams and side dams, booms and sluices, at any point on the west branch of the Ellis river, or its tributaries, in the county of Oxford, at or above the point on said river where Stony brook empties into same, near Stony brook falls, so called, as they may deem necessary for the purpose of driving or floating logs and lumber, also to construct and maintain such other side dams, booms and sluices on the remaining portion of the west branch of the Ellis river as may be necessary to float or drive logs and lumber, *provided*, the same shall not interfere with the rights of persons and property on said stream at or near Andover village, also, to remove all stones, trees and other natural obstructions from the bed of the west branch of Ellis river and to deepen the channel of the same, and for said purpose, said corporation may take land and materials being accountable to the owners thereof for the same and all damages, if any, to be ascertained by reference, or by action on the case.

Powers and purposes.

Proviso.

May take land, etc.
—damages, how ascertained.

SECT. 3. The said corporation, after it shall have made the dams, booms and other improvements contemplated by this act, and during such period as the same shall be kept in good repair and working condition, may demand and receive a toll of fifteen cents per thousand feet, woods scale, for all logs and lumber, excepting such as is known as pulp wood, and lumber less than ten feet in length, that shall be put into said stream, at a point above the mouth of said Stony brook ; and a lien is hereby created upon all such logs or lumber included in the provisions of this act, for the purpose of enforcing the toll attaching to the same, for three months

Tolls.

—lien for payment of.

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Cost of improve-
ments, how paid.

after the same shall ~~have~~ passed down said river into the Androscoggin river, said lien to be enforced by attachment.

SECT. 4. When the tolls on the lumber specified herein, including tolls on all lumber owned by this corporation that shall pass down said stream, amounts to a sum sufficient to pay the cost of all improvements actually made on said stream, with interest on the same at the rate of ten per cent per annum, then said toll shall be reduced to a sum sufficient to keep said improvements in repair, and no more. And said corporation shall annually, on or before the first day of August, file in the office of the clerk of the town of Andover, in said county of Oxford, a statement under oath, giving the amount of lumber passing down said stream, together with the name of the owner or owners of the same, and any failure to file said statement shall forfeit the right to collect toll for the year preceding said first day of August.

SECT. 5. This act shall take effect when approved.

Approved February 24, 1885.

Chapter 448.

An Act in relation to the Union Water Power Company of Lewiston.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Right of corpora-
tion to store
waters of certain
lakes confirmed.

SECT. 1. The Union Water Power Company of Lewiston is hereby granted the right by its dams now erected or which shall be hereafter erected on its own land, to raise and store the waters of the Rangeley, Mooselucmaguntic and Richardson lakes, their connecting and contributory waters, and to use the same for the purposes set forth in its certificate of incorporation, *provided, however,* that this act shall not affect the existing rights of any person or corporation in the drifting or driving of logs, masts, spars and other timber, or the rights of fishery, in said waters and streams, or the Androscoggin river; and *provided, further,* that this act shall not be construed to authorize said corporation to demand of any riparian proprietor above or below the cities of Lewiston and Auburn any toll or compensation for the use of water flowing in said river.

Rights of others
not affected.

SECT. 2. Damages which shall accrue from the use of the privileges herein granted, shall be determined in the manner provided in chapter ninety-two of the revised statutes.

Damages, how determined.

Approved February 24, 1885.

Chapter 449.

An Act to authorize Thomas Spear and others to build a dam across Muddy River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Thomas Spear, Henry Carey, Albert M. Spear and George O. Spear, their heirs and assigns are hereby authorized to construct and support a dyke or dam across Muddy river, so called, in the town of Topsham in the county of Sagadahoc, near the bridge across said river upon the road leading from Bowdoinham in said county to Bath, with suitable gates to regulate the flow of the tide for the purpose of draining, irrigating and improving the meadow lands lying upon said river, subject to the laws of the state in relation to flowage ; and said dam shall not be erected without the written consent of all the abutters upon said river, above said dam, whose land may be affected thereby.

Thomas Spear et al., authorized to construct dyke across Muddy river.

—consent of abutters, necessary.

Approved February 24, 1885.

Chapter 450.

An Act to prohibit the taking of herring within certain limits in Machias Bay.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The taking of herring or fishing therefor by the use of purse and drag seines, and all other seines or nets, from the first day of June to the first day of September, is hereby prohibited in the waters lying within the jurisdiction of the state in Machias bay, at the mouth of Machias river, inside of a direct line from the Camp islands on the west to the Double-Headed Shots on the east, under a penalty upon the master or person in charge of said seines or nets, or upon

Close time for herring in Machias river, from June 1 to Sept. 1.

—penalty for violation.

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the owner or owners of the vessels, steamers or boats engaged in taking said herring, of not less than one hundred dollars, and no more than three hundred dollars, and there shall be a lien upon said vessels, steamers, boats or apparatus used in such unlawful pursuits until said penalty, with cost of prosecution, is paid.

—how recovered.

SECT. 2. All penalties named in section one may be recovered by indictment or action of debt; one-fourth part of the penalty recovered or imposed shall be for the benefit of the complainant or party prosecuting, and the remaining three fourths shall be paid into the school fund of the town of Machiasport.

Approved February 24, 1885.

Chapter 451.

An Act for the protection of trout and land-locked salmon in the Rangeley, South Bog, Bemis, Cupsuptic and Kennebago streams.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Close time for trout and land-locked salmon, in certain waters, between July 1 and May 1.

SECT. 1. No person shall take, catch, kill, fish for or destroy any trout or land-locked salmon in the Rangeley stream between the mouth of the Kennebago stream and the head of the island at the eddy, so called, in said Rangeley stream, from the first day of July to the first day of May; nor in that portion of said stream from the head of said island to the Rangeley dam, at any time; nor in the South Bog stream which empties into Rangeley lake, above the dead water at the mouth of said stream, from the first day of July to the first day of May; nor in the Bemis stream which empties into Mooselucmaguntic lake, above the blue water, so called, at the mouth of said stream, from the first day of July to the first day of May; nor in the Cupsuptic stream which empties into the Cupsuptic lake, between the foot of the first falls towards its mouth and its source, from the first day of July to the first day of May; nor in the Kennebago stream between the foot of the first falls towards its mouth and the upper falls at the outlet of Kennebago lake, from the first day of September to the first day of May.

—Kennebago Lake between Sept. 1 and May 1.

SECT. 2. Any person who shall violate the provisions of this act shall forfeit and pay the sum of twenty-five dollars for the attempt and one dollar for each and every trout or land-locked salmon so taken, caught, killed or destroyed, to be recovered by complaint before any trial justice, one-half to the complainant and one-half to the town where the complaint is made.

—penalty for violation.

SECT. 3. Chapter two hundred and eighty of the private laws of eighteen hundred and eighty, entitled "An Act for the protection of trout and land-locked salmon in the Rangeley, South Bog, Bemis, Cupsuptic and Kennebago streams," is hereby repealed.

Ch. 280, private laws of 1880, repealed.

Approved February 24, 1885.

Chapter 452.

An Act additional to and amendatory of chapter two hundred and sixty seven of the special laws of the year one thousand eight hundred and eighty, relating to the Bridgton and Presumpscot River Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The time named in section one, chapter two hundred and sixty-seven of the special laws of the year one thousand eight hundred and eighty, for completing the railroad mentioned in said act is hereby extended for a further period of four years from and after the approval of this act, and the provisions of said chapter two hundred and sixty-seven, except so far as modified by this act, are hereby revived and continued in force.

Time for completing Bridgton and Presumpscot River R. R., extended.

SECT. 2. Section one of chapter two hundred and sixty-seven, of the special laws of the year one thousand eight hundred and eighty, is hereby amended by striking out, in the eighth line thereof, the word "Bridgton," and inserting therein, in lieu thereof, the words 'Standish or Windham near the outlet of Sebago lake.'

Sec. 1, ch. 267, private laws of 1880, amended.

Approved February 24, 1885.

CHAP. 453**Chapter 453.**

An Act to incorporate the Rockport Transit Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Samuel D. Carleton, Philander J. Carleton, Samuel E. Shepherd, Herbert L. Shepherd, William T. Hiscox, William A. Miles, their associates, successors and assigns,

Corporate name.

are hereby created a body corporate by the name of the Rockport Transit Company, with all the rights and privileges granted by the laws of this state to corporations, and subject to limitations and obligations therein provided, Said company

Authorized to construct tramway.

shall have authority to construct, maintain and use one or more lines of elevated wire-rope tramway from the various lime rock quarries in the town of Camden to the various kilns in the village of Rockport, in such directions as may be most convenient for the purpose of transporting lime rock from said quarries to said kilns, with convenient branches to accommodate each kiln.

—horse railroad.

SECT. 2. Said company shall have the right to construct and operate lines of horse railroad about the quarries; and under the supervision of the municipal officers, to construct and operate its lines of wire tramway across and along any public street or highway, but in such a manner as not to incommode or endanger the customary public use thereof; and for that purpose may set posts to support said lines, and remove obstructions when standing within the limits of the streets or highways, when necessary for the erection, use and safety of its lines.

—to set posts and remove obstructions.

Corporation declared to be a common carrier.

SECT. 3. Said company is hereby declared to be a common carrier for the purposes aforesaid, invested with all the rights and subject to all the duties and obligations thereof. Nothing herein contained shall be construed as authorizing said company to take private property without just compensation; and any person injured in his property shall have redress in the same manner as is provided by law in case of taking lands for railroads.

Damages, how ascertained.

May erect and use stationary engines.

SECT. 4. Said company shall have the right to erect and use as many stationary engines as may be required in the operation of its lines, under such restrictions and regulations as the municipal officers may impose, *provided*, none are erected upon any highway.

SECT. 5. The capital stock of said company shall not exceed two hundred and fifty thousand dollars, and the amount shall be fixed by a vote of the company. The company may purchase, hold, sell and convey real estate and personal property for the purposes contemplated in this charter.

Capital stock.

SECT. 6. Either of the persons named in the first section of this act may call the first meeting of the corporation, by serving each of the others with a written notice, seven days at least before the time of said meeting.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

Approved February 26, 1885.

Chapter 454.

An Act to amend chapter two hundred and seventy-nine of the Special Laws of eighteen hundred and eighty-three, entitled "An Act to amend and make valid the organisation of the Bodwell Water Power Company, and for other purposes."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That section nine of chapter two hundred and seventy-nine of the special laws of eighteen hundred and eighty-three, approved February twenty-eight, in the year of our Lord, one thousand eight hundred and eighty-three, be and the same is hereby amended by inserting after the word "taking," in the second line of said section, the words 'otherwise than by purchase,' so that as amended, said section shall read as follows :

Sec. 9, ch. 279, special laws of 1883, amended.

SECT. 9. All damages sustained by any persons in their property by taking otherwise than by purchase, any land for pipes, aqueducts, locks or other structures, shall be determined and assessed in the manner provided by section three of this act.

Damages, how assessed.

SECT. 2. That section twelve of said act be and is hereby amended by inserting after the word "public" in the ninth line of said section, the words 'as fully as said river in its natural condition would accommodate such running of logs and rafts,' and by inserting after the word "lumber" in the thirty-third line of said section, the words 'whenever the passage of logs and lumber would be practicable in said branch in its natural condition,' and by inserting after the

Sec. 12, amended

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word "person" in the forty-ninth line of said section, the words 'by reason of said dam at the Oldtown falls across Penobscot river or,' so that as amended, said section shall read as follows :

Authorized to
erect dam at
Oldtown falls.

—proviso.

Authorized to
construct dam
across Stillwater
branch.

Damages, how
assessed.

Dam not to pre-
vent natural flow
of water.

Sluiceway pro-
vided for.

'SECT. 12. Said corporation is hereby authorized and empowered to erect and maintain a dam at the Oldtown falls across Penobscot river, between Oldtown and Milford, sufficient to level up said falls to the highest point of Johnson's rock in said falls; *provided*, that a sluice shall be constructed and maintained through said dam and falls at some place between Oldtown and Milford of sufficient capacity and size to accommodate the running of logs and rafts over said falls by the public, as fully as said river in its natural condition would accommodate such running of logs and rafts; said sluice is to be constructed and maintained to the satisfaction of a committee to be appointed by any justice of the supreme judicial court of this state, who shall make report to said court, and said court may accept or reject or modify said report after notice, and upon hearing of parties interested, and said court shall, upon petition of any party interested, upon reasonable notice and hearing, at any time, determine what changes shall be made in said sluice or dam and have the right to determine all questions of costs, and power is hereby specially conferred upon said court for this purpose. And said corporation shall also have the right to construct and maintain a dam across the Stillwater branch of Penobscot river, and take and occupy land therefor, damages therefor to be assessed as provided in section three of this act, between the head of the island, below Pushaw bridge, and the southerly end of Orono island, of a sufficient height to hold the reserve of water caused by the leveling up of the falls authorized in this act, and to prevent said reserve or excess from flowing down said Stillwater branch, but said dam shall not be constructed any higher than sufficient to hold said reserve, nor in any manner or degree to interfere with or prevent the natural flow of water down said Stillwater branch of Penobscot river; *provided*, said corporation shall construct and maintain a suitable sluiceway in said dam on said Stillwater branch for the passage of logs and lumber, whenever the passage of logs and lumber would be practicable in said branch in its natural condition; *also provided*, that said

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Amount of water
passing down
Stillwater branch,
how ascertained.

Justice of S. J.
Court to regulate
height of dam,
etc.

—may determine
questions of
damages.

corporation shall, before constructing said dams, ascertain, under the supervision and direction of some competent hydraulic engineer, to be appointed by the supreme judicial court for Penobscot county, the exact amount of water passing down said Stillwater branch from the main Penobscot river, at different stages of water during summer drouth, while both Oldtown falls and said Stillwater branch are in their natural flow and condition, and if the dam and sluice so constructed do not accomplish the purpose of this act, then any justice of said court, at any time, from time to time, on the application of either party, and a hearing of the parties interested, shall regulate the height of said dam, and the location and dimensions of said sluice, and his decision shall be final, with power to award and apportion the costs and expenses of said hearing in such manner as he may determine; and *provided, further*, that all damages sustained by any person by reason of said dam at the Oldtown falls across Penobscot river, or by reason of said dam on said Stillwater branch, or by reason of the use or the detention of the water, in any manner not authorized by said act and the common law, may be determined by the courts in appropriate proceedings at law or in equity, in accordance with law; and in an action for said damages, the question of the practical sufficiency and necessity of said water, in its natural condition, to float logs, rafts and lumber over said falls, or through said sluices and below the same, shall be left to the jury to determine under appropriate instructions by the presiding judge.'

SECT. 3. That section thirteen of said act be and is hereby amended by striking out, in the eighth line of said section, the words "may be necessary" and inserting in place thereof, the words 'shall be practically sufficient' and by inserting after the word "same," in the ninth line of said section the words 'and may be necessary for such purposes,' so that as amended, said section shall read as follows:

'SECT. 13. The proceedings in the organization of said corporation are hereby confirmed and made valid. The said corporation shall not draw water through its canal or canals, mills or dams so that the natural flow of the water of the Penobscot river over Oldtown falls, and below or through

Organization
made valid.

Natural flow of
water in Penob-
scot river, not to
be interrupted.

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Purity of water
not to be inter-
fered with.

any sluice erected and maintained under this act, shall be interrupted, when said natural flow of water over said falls, shall be practically sufficient to float logs, rafts and lumber over said falls, or through said sluice and below the same and may be necessary for such purposes; *provided, always*, that said corporation its successors and assigns, shall never use its rights and powers for manufacturing purposes or otherwise, which shall tend in any manner to affect the rights and powers of the city of Bangor to pure water for domestic and sanitary purposes, under chapter two hundred and fifty-nine of the laws of eighteen hundred and seventy-six, entitled "An Act to amend an act, approved February twenty-two, eighteen hundred and seventy-five, for supplying the city of Bangor with water."

Approved February 27, 1885.

Chapter 455.

An Act to revise and amend the charter of the city of Gardiner.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 281,
private laws of
1849, amended.

SECT. 1. Section three, chapter two hundred and eighty-one of the private and special laws of eighteen hundred and forty-nine, is hereby amended in the third section thereof by striking out all of said section after the word "agency," in the twenty-third line, and adding after said word "agency" the following: '*provided, however*, the mayor may be elected by the city council as one of the assessors and as an overseer of the poor, and be allowed a reasonable compensation therefor; but the aldermen and common councilmen shall receive no compensation for their services as such. Excepting as provided above, neither the mayor nor any member of the city council shall, during the term for which he may be elected, be chosen to the office of assessor, city marshal, chief engineer of the fire department, collector of taxes, overseer of the poor, street commissioner, superintending school committee, or treasurer,' so that said section, when amended, shall read as follows :

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Duties and
powers of mayor—may cause
special meetings
of aldermen and
council to be con-
vened.—to preside in
board of alder-
men and joint
meetings.

—salary of.

Mayor and mem-
bers of council
not to be elected
to certain offices.

'SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced, to exercise a general supervision over the conduct of all subordinate officers, and to cause their violations or neglect of duty to be punished. He may cause special meetings of the board of aldermen and common council, or either of them, when in his opinion the interests of the city require it, by a notice in one or more of the papers printed in the city, or by causing a summons or notification to be left at the dwelling place of each member of the board or boards to be convened. He shall, from time to time, communicate to both boards such information and recommend such measures as the business and interests of the city may, in his opinion, require. He shall preside in the board of aldermen and in the joint meetings of the two boards, but shall have only a casting vote. The salary and compensation of the mayor shall not exceed two hundred dollars per year, which shall not be increased or diminished during his continuance in office, unless by a vote of the qualified electors in ward meetings called for that purpose. Nor shall he receive from the city any other compensation for any services by him rendered in any other capacity or agency; *provided, however*, the mayor may be elected by the city council as one of the assessors, and as an overseer of the poor, and be allowed a reasonable compensation therefor; but the aldermen and common councilmen shall receive no compensation for their service as such. Excepting as provided above, neither the mayor nor any member of the city council shall, during the term for which he may be elected, be chosen to the office of assessor, city marshal, chief engineer of the fire department, collector of taxes, overseer of the poor, street commissioner, superintending school committee, or treasurer.'

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

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Chapter 456.

An Act to increase the capital stock of the Bar Harbor Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Capital stock
of Bar Harbor
Water Co.,
increased.

SECT. 1. The Bar Harbor Water Company is hereby authorized, by a vote of said corporation, to increase the capital stock of said corporation fifty thousand dollars, so that the whole capital stock of said corporation shall be one hundred thousand dollars ; and said stock shall be divided into shares of fifty dollars each.

—may hold real
estate.

SECT. 2. Said Bar Harbor Water Company, for the purposes of its incorporation, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

SECT. 3. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 457.

An Act to authorize the First Parish in Falmouth to sell and convey certain lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Henry M. Stone,
et als., authorized
to sell meeting
house and land in
Falmouth

SECT. 1. Authority is hereby given to Henry M. Stone, Amos Leighton, and George D. York, or any two of them, to sell and convey, in behalf of the First Church and Parish in Falmouth, sixty acres of land in said Falmouth, granted to said church and parish under their name then of the Second Church and Parish of Falmouth, at New Casco, for the use of their minister and his successors forever, by the proprietors of Falmouth, January twenty-one, seventeen hundred and seventy-four : *Provided*, that said persons shall be elected trustees for that purpose by said First Church and Parish at a meeting legally called therefor. The proceeds of such sale shall be invested by said trustees for the use and benefit of the minister of said parish and his successors forever, according to the tenor of the original grant.

Proviso.

Proceeds, how
invested.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 458.

An Act to authorize Charles E. Wilson and others to navigate Pushaw Lake by steam.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Charles E. Wilson, Albert F. Smith, H. H. Crocker, Julius H. Crocker, Edward Hopkins, J. Fields Murry, all of Bangor, their associates and assigns, are hereby vested with the exclusive right, against all persons, of employing and navigating every kind of boat or water craft, propelled by steam, for hire or as common carrier, on Pushaw lake, in the county of Penobscot, for the term of ten years from the approval of this act.

Charles E. Wilson, et als., authorized to navigate Pushaw lake.

SECT. 2. It shall be the duty of the said Wilson, his associates and assigns, to furnish adequate, reasonable accommodation for the ordinary travel over said lake in the summer season ; and if they shall fail to do so after reasonable notice, within one year from the passage of this act, or if the travel shall so increase as to require another boat, which they shall not supply, the exclusive right aforesaid shall terminate.

Exclusive right to terminate if adequate accommodations are not furnished.

SECT. 3. Any person who shall use or employ on said lake, any boat or water craft propelled by steam, for hire or as common carrier, without being authorized by the said Wilson, his associates or assigns, shall forfeit for each offense not less than fifty and not more than two hundred dollars, to be recovered by and for the use of said Wilson, his associates and assigns, in an action of debt.

Penalty for infringing on right.

SECT. 4. A reasonable toll is hereby authorized for transportation of persons and merchandise across said lake, the rate to be established by the county commissioners of Penobscot county, from time to time, as they may determine.

Toll authorized.

SECT. 5. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 459.

An Act to incorporate the Eastern Maine State Fair.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. J. P. Bass, F. O. Beal, Ezra L. Sterns, E. B. Nealley, A. L. Simpson, George W. Ricker, Henry McLaughlin, I. D. Fenderson, John Morrison, E. E. Parkhurst, B. A. Burr, George R. Lancaster, R. W. Murch, Thomas Hersey, Benjamin Hilton, S. C. Hatch, Jas. W. North, L. J. Morse, F. A. Wilson, L. Powers, H. H. Fogg, J. S. Wheelwright, Edward Connors, James Tobin, J. T. Rines, Eugene Hale, H. Hamlin, T. U. Coe, their associates, successors and assigns, are hereby created a body politic and corporate by the name of Eastern Maine State Fair, and by that name shall have power to sue and be sued, prosecute and defend suits at law and equity, to have and use a common seal and to change the same at pleasure and pass any by-laws and regulations not inconsistent with the laws of this state, which they may deem necessary for the management of their affairs, and shall have and exercise all the powers and privileges granted to and exercised by agricultural societies and similar corporations.

Corporate name.

—powers and privileges.

May hold real estate.

SECT. 2. Said corporation shall have power to purchase, lease and hold real estate in the county of Penobscot, the value of which, with the improvements and betterments, shall not exceed fifty thousand dollars, and personal property not exceeding in value, ten thousand dollars for the purpose of constructing and maintaining a driving park, fair grounds and exhibitions.

—maintain driving park, etc.

Corporation invested with police powers.

SECT. 3. Said corporation shall have all of the police powers, together with all other powers and privileges at all of their exhibitions of whatever name or nature, which are conferred upon agricultural societies by sections sixteen, seventeen and eighteen of chapter fifty-eight of the revised statutes.

Sale of merchandise and exhibitions near grounds, restricted.

SECT. 4. The prohibitions, restrictions, forfeitures, and penalties provided by section nineteen of chapter fifty-eight of the revised statutes, shall be applicable to all exhibitions of said corporation.

SECT. 5. Whoever, contrary to the regulations of said corporation, shall enter or pass within the enclosure of its fair or exhibition grounds, shall forfeit to such corporation, a sum not exceeding five dollars, to be recovered on complaint.

Penalty for entering grounds unlawfully.

SECT. 6. The first meeting of said corporation may be called by J. P. Bass, F. O. Beal and Ezra L. Sterns, by publishing notice of the time, place and object thereof, in the Bangor Daily Whig and Courier and Bangor Daily Commercial at least five days before the time of holding said meeting; and at said meeting, the officers of said corporation may be chosen, and such other corporate business done as may be deemed proper.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 460.

An Act to prevent the throwing of slabs and other refuse into the Meduxnekeag Stream.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. No person or persons shall throw or put into that part of the Meduxnekeag stream running through and above Houlton, or its tributaries, any waste material coming from the manufacture of shingles, or any slabs or edgings coming from the manufacture of laths, or lumber of any kind.

Throwing waste into Meduxnekeag stream, prohibited.

SECT. 2. Any person who violates the provisions of section one shall be subject to a penalty of not less than five dollars and not more than twenty dollars, to be recovered in an action of debt by any party injured or by indictment.

Penalty for violation.

Approved February 27, 1885.

Chapter 461.

An Act granting additional powers to the inhabitants of School District number five in the town of Kennebunk.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Inhabitants of school district No. 5, in Kennebunk declared a corporation.

Powers.

SECT. 1. The inhabitants of school district number five in the town of Kennebunk shall continue to be, and are hereby declared to be, a corporation, and are hereby authorized, in addition to the power now conferred by law upon school districts, at any legal meeting called for the purpose, to raise, by assessment or by loan as hereinafter provided, such sums of money as may be deemed necessary and sufficient for the maintenance of graded schools in said district; for organizing and maintaining within the limits of said district an efficient fire department; for building, purchasing, renting, repairing and maintaining school houses, engine houses, hook and ladder carriage houses, and lock-ups or police stations; for purchasing, repairing and maintaining fire engines, hose, ladders, buckets, machines and other apparatus for the extinguishment and prevention of fires; for the construction and repair of reservoirs and aqueducts; for the procuring of water and pumps, pipes and machinery for handling and distributing the same; for establishing and maintaining a public library in said district, in the same way and to the same extent that towns may do; for the purchasing or renting of real estate for any of the above purposes; to pay for the services of one or more police officers, night watchmen, truant officers, or any other officers to whom the district may vote a salary or other compensation.

Officers and how chosen.

SECT. 2. The officers of said district, under this act, unless said district shall otherwise determine, shall consist of three superintending school committee men, clerk, treasurer, collector, agent, assessors, one or more auditors, chief engineer, two or more assistant engineers, one or more police officers, and such other officers as may be provided for in the by-laws of said district; and such officers, except as herein otherwise provided, shall have the same qualifications and shall be elected and qualified in the same way, and shall perform in said district the same duties as similar officers elected by towns, and such qualification may be before the clerk of said district.

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Powers of S. S.
committee.To report
annually.May choose
supervisor of
schools, instead of
committee.

Duty of assessors.

—of board of
engineers.—of police and
night watchmen.May establish
public library.

SECT. 3. Said superintending school committee men shall have and exercise in said district all the rights, power and authority, and shall perform all the duties required by law of superintending school committee men of towns, excepting that they shall report annually to the superintending school committee men of the town and not to the town itself, and that the returns required by sections eighty-eight, eighty-nine and ninety, chapter eleven of the revised statutes, shall be made by the superintending school committee of the town. Said district, instead of said committee, may choose a supervisor of schools, who shall perform the duties of said committee, and his election shall terminate the office of all members of such committee.

SECT. 4. Said assessors shall be the general municipal officers of said district, and shall have charge of its affairs and of the expenditure of money therein, except so far as the same may be committed to other officers or persons.

SECT. 5. Said engineers shall constitute a board, and as such shall have charge of the fire department of said district, under such rules and ordinances as the district may adopt, and of the expenditure of money appropriated for said department; and said chief engineer, and in his absence the assistant engineers in the order of their rank, shall have exclusively all the power and authority, within the limits of said district, that fire wardens now have or may have, chosen by towns in town meetings; but no building shall be pulled down or demolished, except by the concurrence of two of said engineers, and of one of the fire wardens or municipal officers, or a civil or military officer of the town of Kennebunk, in the order named, present at any fire.

SECT. 6. Said police officers and night watchmen shall have, within the limits of said district, the powers of constables in matters criminal or relating to the by-laws of said district, or of the town of Kennebunk.

SECT. 7. Said district may establish and maintain therein a public library, in the same way and to the same extent as towns are authorized to do, and may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance thereof, and may make all needful rules and regulations for the care and regulation of such library, and of any funds appropriated or received therefor.

CHAP. 461

Taxes, how
assessed.

—valuation, how
fixed.

Authorized to ob-
tain a loan.

—liabilities re-
stricted.

Clerk to certify
amount of loan
authorized, to
assessors.

Assessment and
collection of
taxes.

SECT. 8. All moneys which may be raised for the purposes aforesaid, or for any other purposes for which the district may lawfully raise money, as well as all moneys heretofore lawfully raised by said district, which have not already been assessed, shall be assessed upon the taxable polls and estates embraced within said district by the assessors thereof, in the same manner as is provided by law for the assessment of town and county taxes, and the said assessors may copy the last valuation of said property by the assessors of the town of Kennebunk, and assess the tax thereon, or may correct said valuation or make a new one thereof, according to the principles established by the last act establishing a state tax, and assess the tax on that valuation, and may make abatements on taxes assessed in said district in the same way as assessors of towns may do.

SECT. 9. Said district is authorized to obtain by loan money for any of the purposes for which it may lawfully raise money, payable in such instalments, not exceeding ten, and at such time or times not exceeding ten years as the district may direct in the vote authorizing such loan; but in no case shall a loan be made that shall with other indebtedness make the whole liabilities of the district more than five per cent of the aggregate amount of the last valuation of the estates of the district upon the assessors' books. And whenever the district shall vote to borrow money as aforesaid, the clerk of the district shall certify to the assessors thereof the amount of said loan with the date or dates at which the same shall become due and payable, and the assessors at each annual assessment of taxes in said district after said loan shall assess the amount of the installment or payment on said town, with the interest on the same, that may become due that year on the polls and estates in the district as if the district had voted to raise it.

SECT. 10. Upon a certificate being filed with the assessors of said district by the clerk thereof, of the amount of money raised at any legal meeting of the inhabitants thereof for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the taxable polls and estates embraced within said district, and the assessment so made, as well as the assessment of moneys to repay any loan of said district with interest thereon, to certify and

deliver to the treasurer or collector of said district, whose duty it shall be to collect the same in like manner as town and county taxes are collected in towns, and the said district collector or treasurer shall have the same power and authority in collecting the tax so assessed as a constable or town collector has by law for collecting town and county taxes, and shall enforce payment of the same in the same manner as a town constable or town collector is required to do by law, and the said district shall have the same power to direct the mode of collecting said taxes as towns have in the collection of taxes.

SECT. 11. Whenever an apportionment shall be made by the municipal officers of the town of Kennebunk of the school money raised by said town, or received from the state, or received from any other source for the support of schools in said town among the several school districts thereof, they shall, as soon as may be thereafter, draw their orders on the treasurer of said town in favor of the treasurer of said district for the amount of money apportioned said district for the then current municipal year, payable one-third part on the first day of June of said year, or as soon thereafter as said apportionment is made, if not already made; another third part on the first day of November following, and the remaining third part on the first day of March following, and on the payment of said orders, or their acceptance by the treasurer of said town, said town shall be released from all liability for the support of schools in said district for that year. And said district shall be liable for the support and maintenance of schools therein in the same manner as said town would have been.

Apportionment
of school money.

—when payable.

SECT. 12. All moneys payable to said district by said town as aforesaid, or by the state for the maintenance of a free high school in said district, or for any other purpose, as well as all moneys derived from taxation or loan, or from any other source, shall be paid to the treasurer of the district, and received and held by him for the uses of the district. The treasurer shall repay all loans and interest thereon, as the same may become due, from any money in the treasury assessed or appropriated for that purpose, but no other money shall be paid therefrom except upon the written order of the assessors, and no such order shall be drawn by them except

All moneys to be
paid to the
treasurer.

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Collector and
treasurer to give
bonds.

By-laws.

Former act
authorizing the
raising of money,
repealed.

When act takes
effect.

upon a properly avouched bill of items. The collector, and when required, the treasurer, shall give bonds in such sums as the district may direct, to be approved by the assessors.

SECT. 13. The by-laws now in force in said district shall continue to be in force, but said district, at any legal meeting called for that purpose, may amend or repeal the same and may adopt new by-laws and may make all needful rules and ordinances for the organization and government of a fire department, and may prescribe the powers, duties, style and rank of the engineers of the fire department, and of the officers and members of engine and hook and ladder companies within said district, not repugnant to the laws of the state.

SECT. 14. "An act authorizing the inhabitants of school district number five, in the town of Kennebunk, to raise money for certain purposes," approved March four, eighteen hundred and sixty-eight, is hereby repealed; but shall remain in force for the preservation of all rights and their remedies existing by virtue thereof, and so far as it applies to any office or trust, judicial proceeding, right, contract, limitation or event already affected thereby.

SECT. 15. This act shall take effect and be in force on its approval by the governor, and after the same shall have been accepted by a vote of the district at a legal meeting called for that purpose.

Approved February 27, 1885.

Chapter 462.

An Act to make valid the doings of the town of Scarborough, in relation to the bridge of the Portland, Saco and Portsmouth Railroad Company over Dunstan river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The action of the inhabitants of the town of Scarborough, at their meeting held on the fifth day of March, in the year of our Lord, one thousand eight hundred and eighty-three, in empowering their selectmen and town agent to contract with the Portland, Saco and Portsmouth Railroad Company in relation to its bridge over the Dunstan river in Scarborough are made valid, and the contract made by said selectmen and town agent in behalf of said town with said railroad company in relation to said bridge, dated the twenty-first day of September, in the year of our Lord one thousand eight hundred and eighty-three, is hereby ratified and confirmed.

Action of inhabitants of Scarborough made valid.

Approved February 27, 1885.

Chapter 463.

An Act for the protection of Bass in Winnegance Creek.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No bass shall be taken from Winnegance creek except in January and February.

Close time for bass in Winnegance creek established.

SECT. 2. No net shall be used in said creek exceeding fifteen fathoms in length, and of not less than six inches mesh. No person shall use more than one net at a time, or directly or indirectly, by the hire or agency of any other person, and no more than one net shall be used by any family.

Size of nets to be used, defined.

SECT. 3. Every net shall have the owner's full name in legible characters, branded or carved on a wooden buoy, of not less than three-fourths of an inch in length, attached to each end thereof, and conspicuously exposed to view out of the water and above the ice, in case there be ice. Any net found in use in said waters, without the owner's name attached thereto as aforesaid, or so found with or without the owner's name so attached, at any time other than in January and

Nets to be marked.

—penalty for violation.

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February, is hereby declared forfeited, and shall, on complaint, be ordered to be destroyed or sold at public auction.

—penalty for setting net in flood gates of mill dam.

SECT. 4. No net shall be set in the flood gates of Winnegance mill dam, under a penalty of not less than twenty nor more than one hundred dollars for each offense.

—penalty for violation of this act.

SECT. 5. Any person violating any of the provisions of sections one, two and three of this act, shall forfeit twenty-five dollars for each offense, and a further sum of five dollars for every bass illegally caught or killed. All fines, penalties and forfeitures arising under this act, may be enforced by complaint or by an action of debt before the municipal court of Bath, or any trial justice of Sagadahoc county, one-half to the complainant, and one-half to said county.

—how enforced.

Ch. 43, private laws of 1878, repealed.

SECT. 6. Chapter forty-three of the private laws of eighteen hundred and seventy-eight, relating to the protection of bass in Winnegance creek, and chapter one hundred and fifty of the private laws of eighteen hundred and eighty, amendatory thereof, are hereby repealed.

Approved February 27, 1885.

Chapter 464.

An Act to set off lots one and two in the town of Wellington in Piscataquis county, and annex the same to the town of Cambridge in Somerset county.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Set off from Wellington to Cambridge.

SECT. 1. Lots one and two in the town of Wellington in Piscataquis county are hereby set off, and the same are annexed to the town of Cambridge in Somerset county.

County line changed.

SECT. 2. The county line between the said counties of Piscataquis and Somerset is hereby changed in accordance with the provisions of section one.

Approved February 27, 1885.

Chapter 465.

An Act to authorize Andrew B. Walker to flow Squawpan Lake or Squaw Pond, so called.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Andrew B. Walker, his heirs and assigns, are hereby authorized to flow Squawpan lake or Squaw pond, so called, in number ten, range four, in the county of Aroostook, by building a dam at the foot of said lake, for the purpose of holding water for the benefit of his grist mill in the town of Masardis. Said Walker is to build a sluice in the dam to enable the owners of logs to drive them out of the lake, and they are to have the use of the water to drive their logs to the Aroostook river. The said Walker may take land and materials for building said dam, and if the parties owning said land and materials cannot agree upon the damages therefor, then said damages shall be estimated by the county commissioners for the county of Aroostook, as provided by law in case of taking lands for public highways.

Andrew B. Walker authorized to flow Squawpan lake.

—may take land.

—damages, how estimated.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 466.

An Act to change the name of Frances Ellen Hamor.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That the name of Frances Ellen Hamor, daughter of Daniel Hamor, of Eden, Hancock county, be changed to Ella Frances Hamor.

Name changed.

Approved February 27, 1885.

Chapter 467.

An Act to incorporate the Central Washington Agricultural Society, at Machias.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. John Shaw, John Inglee, John K. Ames, William C. Holway, Clark Perry, William H. Phinney, Horace T. Gardner, Emerson E. Stoddard, James H. Bailey, L. H. Crane, James E. Crane, their associates, successors and assigns, be, and they are hereby created a corporation by the

Corporate name.

name of the Central Washington Agricultural Society, to be located at Machias, in the county of Washington, with power by that name to sue and be sued, to have and use a common seal, to make by-laws and all necessary regulations for the management of their affairs, not repugnant to the laws of this state, and to have all the rights and privileges, and be subject to all the liabilities of similar societies in this state.

**—powers and
privileges.**

—limits.

SECT. 2. Said society is hereby established within and for the towns of Machias, East Machias, Machiasport, Marshfield, Northfield, Wesley, Whiting, Cutler, Trescott, Lubec, and Whitneyville, and may take and hold real estate at a cost of five thousand dollars.

**First meeting,
how called.**

SECT. 3. The first meeting of said corporation may be called by any three of the persons named in the first section of this act, by giving such notice of the time, place and object thereof, as they think proper, and at said meeting, the officers of said corporation may be chosen, and such other corporative business done as may be deemed proper.

SECT. 4. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 468.

An Act amendatory of and additional to chapter six hundred and one of the Private and Special Laws of eighteen hundred and sixty-eight, relating to Sinking Fund of the Atlantic and St. Lawrence Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The commissioners of the sinking fund of the Atlantic and St. Lawrence Railroad Company, may invest the moneys of such fund which have not been already invested, and such further contributions as shall be made thereto in such securities as shall be safe and secure.

Investments of
A. & St. Lawrence
R. R. Co.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 469.

An Act additional to the charter of the city of Portland, in relation to a Board of Health.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The city council of Portland may provide by ordinance for the appointment of the Board of Health for the city, and prescribing the term of office of its members, not to exceed three years for any one of them.

Board of health
for city of Port-
land.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 470.

An Act additional to "An Act to incorporate the Skowhegan and Athens Railroad Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That there be and hereby is granted to the incorporators of the Skowhegan and Athens Railroad Company a further extension of time in which to make and complete said railroad to Athens, of five years from and after the time limited

Time for comple-
tion of Skowhegan
and Athens R. R.,
extended.

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for that purpose in the charter of said corporation, and that said act be and the same is hereby revived, and shall be and continue in force in the same manner as if the limitation in said original act had not expired before the passing of this act.

Approved February 27, 1885.

Chapter 471.

An Act in relation to the Clark and Chaplin Ice Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Clark and Chaplin Ice Co., authorized to maintain dam across Long creek, with consent of owners.

Trustees of Reform School, may relinquish rights of State.

—proviso.

SECT. 1. The Clark and Chaplin Ice Company or its assigns may, with the consent of all the riparian proprietors, or persons holding under such riparian proprietors, upon Long creek or its branches, so far as said corporation may flow said branches, in the town of Cape Elizabeth, or after acquiring all the flats and shores of said creek, maintain a dam across the mouth of said creek and flow said creek, and enjoy and have the exclusive right of taking ice from said creek. The trustees of the reform school may consent, in behalf of the state, to anything hereinbefore contemplated, or may relinquish to said Clark and Chaplin Ice Company or its assigns, by lease or sale, all the interests of the state in the flats or shores of said Long creek, upon such terms as said trustees may consider for the interest of the reform school; *provided, however*, that the concurrence of the city of Portland, in such consent, lease or sale be obtained; and *provided, further*, that this act is subject to all the provisions of the statutes relative to Portland harbor already in force, or which may be hereafter passed, and that no dam as aforesaid shall be erected or maintained, except with the consent of the city council of Portland, upon consultation with competent experts, of the town of Cape Elizabeth, and of the harbor commissioners of Portland harbor, upon such terms and conditions as may be incorporated in such consents.

SECT. 2. This act shall take effect when approved.

Approved February 27, 1885.

Chapter 472.

An Act additional to an act entitled "An Act to incorporate the city of Brunswick."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. If the inhabitants of the town of Brunswick accept the charter heretofore granted to them, pursuant to section twenty-one of the act referred to in the title to this act, and within the time therein limited for such acceptance, they may at the same meeting but not afterwards, and on a suitable article in the warrant calling such meeting, fix the number of wards and aldermen of the city of Brunswick; and said charter is hereby amended only so far as to allow the powers granted by this act to be seasonably exercised.

Charter of city of Brunswick, amended.

—Inhabitants may vote to fix the number of wards and aldermen.

SECT. 2. The vote, under authority of the foregoing section, shall be taken in such manner as the meeting may adopt, or in the ordinary manner of voting in said town in cases not requiring a written ballot.

—vote, how taken

SECT. 3. The number of wards shall not exceed the number of aldermen; and if their number shall be less, the number of aldermen chosen in each ward shall be equal, and any remaining aldermen shall be chosen at large in the manner provided in said charter; but the number of wards need not exceed one, and the number of aldermen shall not be less than three nor more than seven.

Number of wards and aldermen limited.

Approved March 3, 1885.

Chapter 473.

An Act to extend the time for the location and construction of the Wiscasset and Quebec Railroad, the Messalonskee and Kennebec Railroad, and the Somerset Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The act entitled "an act to amend and extend the acts in relation to the Wiscasset and Quebec Railroad Company, the Messalonskee and Kennebec Railroad Company, and the Somerset Railroad Company," approved the ninth day of February, in the year eighteen hundred and seventy-eight, is hereby amended and continued in force, and

Charters amended and continued in force, and time extended for completion of certain R. R.

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the further time of eight years from the approval of this act is allowed to each and all of said companies to locate and construct the railroads established by this charter, and acts additional thereto, according to the several charters of said companies, and acts in addition thereto and amendatory thereof, and to exercise all the rights and powers granted thereby.

SECT. 2. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 474.

An Act to revive and amend "An Act to incorporate the Boothbay Railroad Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 107, private
laws of 1881,
revived, re-
enacted and
amended.

Chapter one hundred and seven, of the private and special laws of the year one thousand eight hundred and eighty-one, is hereby revived, re-enacted and amended to read as follows :

Corporators.

'SECT. 1. C. B. Fisher, Alden Blossom, James C. Poole, K. H. Richards, John Renhardt, W. Adams, Thomas Boyd, George B. Kenniston, Frank Fisher, and C. H. Fisher, their associates, successors and assigns, are hereby created a body politic and corporate, by the name of the Boothbay Railroad Company, with all the powers, rights and privileges, and subject to all the duties, obligations and restrictions conferred and imposed by the laws of this state.

Route.

'SECT. 2. Said corporation is hereby authorized and empowered to locate, construct, finally complete, alter and keep in repair a railroad from some point at tide water in the town of Boothbay in the county of Lincoln, through said Boothbay, and through the towns of Edgecomb, New Castle, Wiscasset, or Damariscotta, or some of them, to some point or points on the Knox and Lincoln Railroad, in the towns of Wiscasset, New Castle, Edgecomb or Damariscotta.

Capital stock.

'SECT. 3. The capital stock of said corporation shall consist of not more than five thousand shares of one hundred dollars each, and said corporation is hereby authorized and empowered to issue its bonds to an amount not exceeding three hundred thousand dollars, and secure the same by a

mortgage of its road, franchise and property, or in any other way or manner it may deem proper.

'SECT. 4. The officers of said corporation shall be a president, clerk, treasurer, board of directors and such other officers as may be provided for by the by-laws of said corporation. The powers and duties of the officers, and the number constituting the board of direction, shall be such as may be required or prescribed in the by-laws or rules of the corporation. —officers.

'SECT. 5. Said corporation is hereby authorized and empowered to connect its railroad with the railroad of any other company or corporation; may sell or lease its railroad or property or any part thereof, either before or after its completion, to any other railroad or other company or corporation; or may amalgamate its stock with the stock of any other company or corporation upon such terms and conditions as may be mutually agreed upon, which sale, lease or amalgamation shall be binding upon the parties thereto; or may purchase or lease any other railroad or property upon such terms and conditions as may be mutually agreed upon, in every case to be ratified by the stockholders of both corporations. Powers.

'SECT. 6. The said corporation shall have and is hereby granted the power to build all bridges that are necessary on the route that may be selected, across ponds, streams, rivers and tide waters navigable or unnavigable, but so as not to unnecessarily obstruct waters navigated by vessels, and all necessary wharves and store-houses for receiving, storing and shipping of freight and may take and hold in any legal manner, water front sufficient for that purpose. Said corporation or its directors may from time to time determine what parts of their railroad they desire to operate, and at what portions of the year they desire to operate the same; and shall not be holden to operate any part thereof or at any portion of the year, except as they may determine as aforesaid. Powers and privileges.

'SECT. 7. A toll is hereby granted for the benefit of said corporation, upon all passengers and property which may be conveyed or transported on or over its railroad, at such rate as may be established by its directors, subject to such general laws in relation to railroad companies as are, or may, from time to time be established by the legislature. —may fix tolls.

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Shall file location
with county com-
missioners of
Lincoln county.

Reason for grant-
ing charter.

SECT. 8. The said corporation shall file with the county commissioners of Lincoln county its location, on or before the first day of January, in the year of our Lord eighteen hundred and ninety-one, and shall commence construction on or before January first, in the year of our Lord eighteen hundred and ninety-seven.

SECT. 9. This charter is granted because the object cannot be obtained under the general laws.

SECT. 10. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 475.

An Act to authorize a sale of an interest in the Union Meeting House in the town of Westport.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Proprietors of
Union meeting
house in Westport
authorized to sell
building.

The proprietors of the Union Meeting House, in the town of Westport, are hereby empowered to sell and convey, by deed executed by their treasurer, all their interest in said building.

Approved March 3, 1885.

Chapter 476.

An Act to provide for the taking of Alewives in the town of Union.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Inhabitants of
Union authorised
to take alewives
from Georges
river two days
each week from
April 1 to July
15.

SECT. 1. Inhabitants of the town of Union may take from Georges river, and its tributaries within said town, by dip net or hook and line, on Wednesdays and Thursdays of each week, from the first day of April to the fifteenth day of July, such alewives as may be necessary for their own personal and domestic use, but not for sale or exchange.

Penalty for
violation.

SECT. 2. Any person violating any of the provisions of this act shall forfeit five dollars for each offense, and a further sum of twenty-five cents for each alewife illegally caught or killed, or be subject to thirty days' imprisonment on complaint before any trial justice of the county of Knox, one-half of said forfeiture to the complainant and one-half to said county.

Approved March 3, 1885.

Chapter 477.

An Act to incorporate the White Mountain Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Tobias Lord, Frederic O. Bailey, Robie Blake, Corporators.
George Wilson, Daniel Richardson and Charles E. Hubbard,
their associates, successors and assigns, are hereby created a
body politic by the name of the White Mountain Telephone Company name.
Company, with all the rights and privileges and subject to all Rights and priv-
the duties provided by the general laws of this state relating leges.
to corporations, with power by that name to sue and be sued,
to have and use a common seal, and the same to change at
pleasure; to establish any and all by-laws and regulations
for the management of their affairs not repugnant to the laws
of this state, and to do and perform any and all other lawful
acts incident to corporations of similar character; and said
company shall have the right to locate and construct its lines
and to cut down trees, subject to the limitations provided by
the laws of this state relating to similar corporations.

SECT. 2. Said corporation is hereby authorized to con- Route.
struct, maintain and operate telephone lines throughout the
length and breadth of this state, with as many wires and
branches as they may see fit, commencing and terminating at
such point or points as they may select hereafter within the
limits aforesaid.

SECT. 3. The capital stock of said corporation shall be Capital stock.
such an amount as it may, from time to time, determine to
be necessary, not exceeding five hundred thousand dollars,
for the exclusive purpose of purchasing, constructing, main-
taining and operating telephone lines hereby authorized and
contemplated, and it may purchase and hold and dispose of May hold real
such personal and real estate as may be necessary for that estate.
purpose, not exceeding five hundred thousand dollars.

SECT. 4. This corporation is authorized to exercise its —carry on busi-
powers, carry on its business, and do all acts pertaining ness in other
thereto in any other state, upon acquiring therefor all sanc- states.
tion and authority necessary under the laws thereof.

SECT. 5. Said company may use such telegraphic appli- —use telegraphic
ances as may be necessary or convenient for the dispatch of appliances.
their business.

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Not exempt from
law relating to
similar corpora-
tions.

—first meeting,
how called.

Act may be
accepted at reg-
ular meeting.

SECT. 6. Nothing in this act shall be construed to exempt said company or its charter from the provisions of any acts already existing, or which may hereafter be passed regulating, amending, restricting or repealing the rights or privileges of telephone companies, or the charter thereof.

SECT. 7. Any two of the persons named in this act of incorporation may call the first meeting of the company, by giving written notice thereof to each of their associates.

SECT. 8. This act may be accepted at any regular meeting of said association, by a majority of the members present.

Approved March 3, 1885.

Chapter 478.

An Act to incorporate the Lime Rock Transit Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. William T. Hiscox, William A. Miles, W. H. McCormack, Francis Cobb, N. A. Farwell, Maynard Sumner, John T. Berry, A. F. Crockett, S. M. Bird, John S. Case, George Gregory, Jarvis C. Perry, their associates, successors and assigns, are hereby created a body corporate by the name of the Lime Rock Transit Company, with all the rights and privileges granted by the laws of this state to corporations, and subject to limitations and obligations therein provided. Said company shall have authority to construct, maintain and use one or more lines of elevated wire-rope tramway, from the various lime rock quarries, in the city of Rockland, to the various kilns in said Rockland, in such directions as may be most convenient for the purpose of transporting lime rock from said quarries to said kilns, with convenient branches to accommodate each kiln.

Corporate name.

Rights and priv-
ileges.

May construct
elevated tram-
way.

Route.

May construct
horse railroad.

—with consent of
municipal officers
may operate lines
on public high-
way.

SECT. 2. Said company shall have the right to construct and operate lines of horse railroad about the quarries ; and under the supervision of the municipal officers, to construct and operate its lines of wire tramway across and along any public street or highway, but in such a manner as not to incommode or endanger the customary public use thereof ; and

for that purpose may set posts to support said lines, and remove obstructions when standing within the limits of the streets or highways, when necessary for the erection, use and safety of its lines.

SECT. 3. Said company is hereby declared to be a common carrier for the purposes aforesaid, invested with all the rights and subject to all the duties and obligations thereof. Nothing herein contained shall be construed as authorizing said company to take private property without just compensation; and any person injured in his property shall have redress in the same manner as is provided by law in case of taking lands for railroads.

Declared a common carrier.

SECT. 4. Said company shall have the right to erect and use as many stationary engines as may be required in the operation of its lines, under such restrictions and regulations as the municipal officers may impose, provided none are erected upon any highway.

May erect and use stationary engines.

SECT. 5. The capital stock of said company shall not exceed two hundred and fifty thousand dollars, and the amount shall be fixed by a vote of the company. The company may purchase, hold, sell and convey real estate and personal property for the purposes contemplated in this charter.

Capital stock.

SECT. 6. Either of the persons named in the first section of this act may call the first meeting of the corporation, by serving each of the others with a written notice seven days, at least, before the time of said meeting.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 479.

An Act to amend "An Act to provide for the navigation, by steam, of Moose River, Long Pond, Wood Pond and Attuan Pond."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section three of said act is amended by striking out the word "three" in the second line and inserting in place thereof the word 'five' so that said section, as amended, shall read as follows:

Sec. 3, ch 270, private laws of 1883, amended.

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Conditions of
charter extended.

'SECT. 3. The above grant is upon condition that the said Omar Clark, his associates and assigns, shall, within five years from the date hereof, improve the navigation between the southerly part of Attean pond and the easterly part of Long pond, and shall build and run over said route, a steamboat.'

Approved March 3, 1885.

Chapter 480.

An Act to authorize the city of Calais to accept the property devised and trusts imposed by the wills of Daniel K. Chase and James S. Pike.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

City of Calais
authorized to ac-
cept trusts im-
posed by wills of
D. K. Chase and
J. S. Pike.

SECT. 1. The city of Calais is hereby authorized to accept, by a majority vote of the mayor and aldermen, the property devised and trusts imposed by the will of Daniel K. Chase of Calais, dated October eighteen, eighteen hundred and seventy-five, and admitted to probate in Washington County ; and also the property devised and trusts imposed by the will of James S. Pike of Robbinston, admitted to probate in said county.

—acceptance of,
binds city to dis-
charge duties.

SECT. 2. The acceptance of said trusts by vote of the mayor and aldermen as aforesaid shall be sufficient to bind said city to discharge all the trusts devolved upon it by said wills, or either of them, and in accordance with the provisions thereof. All the legal powers, rights and remedies necessary to enable said city to control said property and perform and fulfil all the conditions of said trusts in accordance with the provisions of said wills are hereby conferred upon said city and the mayor and aldermen thereof. The city council may require suitable bonds from any party entrusted with the custody of any of said trust funds, and they shall annually cause to be printed with the city reports a statement of the amount of each trust fund and how the same is invested.

City council may
require bonds of
persons entrusted
with trust funds.

Act not to inter-
fere with liabili-
ties created by
statutes relating
to trust funds.

SECT. 3. Nothing in this act shall be construed to take away any liability, as to said trust funds, created by the statutes of the state.

Approved March 3, 1885.

Chapter 481.

An Act to incorporate the Pemaquid Land Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. F. E. Hitchcock of Rockland, in the state of Maine ; W. F. Sawyer of Boston, G. T. Burnham of Somerville, C. W. Sawyer of Somerville, Solon Bryant of Worcester, all in the commonwealth of Massachusetts ; J. E. Nichols, W. P. Miller, and A. H. Brackett of Bristol, in the state of Maine, their associates and successors, are hereby constituted a body politic and corporate by the name of the Pemaquid Land Company of Bristol, with all the rights, powers and privileges, and subject to all the duties and liabilities provided by the laws of this state thereto applicable.

Corporators.

Corporate name.

Rights and liabilities.

SECT. 2. Said corporation is authorized to purchase, hire, or in any legal mode, acquire and hold, lease, sell and convey real and personal estate and property in their own right and in trust as they deem expedient, or for the purposes of the corporation ; to make all necessary by-laws and rules for the furtherance of the purposes of this act, and the government of the corporation.

Authorized to purchase, etc., real estate.

—by-laws.

SECT. 3. Said corporation is authorized at any time, to lease any part or all of its property or franchises ; purchase, erect or lease cottages and all other buildings that may be needed for the comfort or convenience of the proprietors or their lessees ; to receive in trust any money or property for the purpose of erecting and leasing cottages and all other buildings that may be in any way necessary for the shelter, comfort or convenience of persons residing or sojourning in Maine for health, recreation or business, on the land that may be owned or leased by said corporation or put into its control as trustees as aforesaid ; build and maintain wharves and landings, lay out, improve and ornament roads, walks, and any lands of said corporation ; may own and operate conveyances by land or water to and from, and upon any lands owned or leased by said corporation, lay cables under the water, from any islands owned by corporation to the main land for telephone or telegraph lines, and may make all rules necessary for the protection of the same.

Purposes.

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Capital stock.

SECT. 4. The capital stock of said corporation shall be such an amount as the stockholders, by a majority vote of those present and voting, shall from time to time determine, not exceeding one hundred thousand dollars, said stock to be divided into the number of shares, and of such par value as the directors shall determine.

First meeting,
how called.

SECT. 5. F. E. Hitchcock, J. E. Nichols, W. P. Miller, and A. H. Brackett, named in this act, or a majority of them, may call the first meeting of said corporation for the purpose of organization, by given written notice thereof to each of the other corporators, fifteen days, at least, before said meeting.

SECT. 6. This act shall take effect when approved.

Approved March 3, 1885.

Chapter 482.

An Act to amend and revise the Charter of the City of Rockland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporate name.

Rights, powers
and privileges.

SECT. 1. The inhabitants of the city of Rockland, in the county of Knox, shall continue to be a body politic and corporate, by the name of the city of Rockland, and, as such, shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to, or incumbent on said city as a municipal corporation, and may ordain and publish such acts, laws and regulations, not inconsistent with the constitution and laws of this state, as shall be needful to the good order of said body politic ; and may impose fines and penalties for the breach thereof, not exceeding one hundred dollars for any one offense, which may be recovered by said city in an action of debt or on complaint before the police court of said city.

Administration of
municipal affairs
vested in mayor,
aldermen and
common council.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof shall be vested in one principal magistrate, to be styled the mayor, and one board of seven, to be denominated the board of aldermen, and one board of twenty-one, to be denominated

the board of common council; all of whom shall be qualified electors of said city; which boards shall constitute and be called the city council; all of whom shall swear or affirm to faithfully perform the duties of their respective offices.

SECT. 3. The mayor of said city shall be the chief executive officer thereof; it shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced; to exercise a general supervision over the conduct of all subordinate officers, and cause violations or neglect of duty to be punished. He may call special meetings of the board of aldermen and common council, or either of them, when, in his opinion, the interests of the city require it, by a notice in one or more of the city papers, or by causing a summons or notification to be given in hand or left at the last and usual place of abode of each member of the board or boards to be convened, at least six hours before the time fixed for such meeting. He shall, from time to time, communicate to the city council such information and recommend such measures as the interests of the city may require. He shall preside in the board of aldermen and in the joint meeting of the two boards, but shall have only a casting vote. The salary of the mayor shall be three hundred dollars per year; and he shall not receive from the city any other compensation for any service by him rendered in any other capacity or agency. The aldermen and common councilmen shall not be entitled to receive any salary or other compensation during the year for which they are elected, nor be eligible to any office of profit or emolument, the salary of which is payable by the city.

Mayor, chief executive officer.

—duties and powers.

—salary fixed.

SECT. 4. Every law, act, ordinance, resolve or order, requiring the consent of both branches of the city council, excepting rules and orders of a parliamentary character, shall be presented to the mayor for approval. If not approved by him, he shall return it with his objections at the next stated session of the city council, to that branch in which it originated, which shall enter the objections at large on its journal, and proceed to reconsider it. If upon such reconsideration it shall be passed by a vote of two-thirds of all the members of that branch, it shall be sent, together with the objections, to the other branch, by which it shall be reconsidered, and if passed by a vote of two-thirds of all the

Laws, etc., to be approved by mayor.

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members of that branch, it shall have the same effect as if signed by the mayor. If not so returned, or in case of vacancy in the office of mayor, when said law, act, ordinance, resolve or order be finally passed, the same shall be valid without approval.

Powers vested in mayor and aldermen.

SECT. 5. The executive powers of said city generally, and the administration of police and health departments, with all the powers of selectmen, except as modified by this act, shall be vested in the mayor and aldermen. All the powers of establishing watch and ward, now vested by the laws of the state in the justices of the peace and municipal officers or inhabitants of towns, are vested in the mayor and aldermen, so far as relates to said city; and they are authorized to unite the watch and police departments into one department and establish suitable regulations for the government of the same. The officers of police shall be one chief,

City marshal, deputy and policemen.

to be styled the city marshal, and one deputy marshal, and so many watchmen and policemen, as may, from time to time, be appointed. All other powers now or hereafter vested in the inhabitants of said city, and all powers granted by this act, as well as all powers relating to the fire department, shall be vested in the mayor and aldermen, and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other. Each board shall keep a

Powers relating to fire department, vested in mayor and aldermen, and council.

Each board, judge of election of its members.

record of its proceedings, and judge of the election of its own members; and in case of vacancies, new elections shall be ordered by the mayor and aldermen. A quorum for the transaction of business shall, in each board, consist of a majority thereof; all meetings of the aldermen and common councilmen and all meetings of the two boards in convention, shall be open and public; and the presiding officer of each of them shall have the powers of moderators of town meetings. At either of said meetings, when any two members shall request it, the votes shall be taken by yeas and nays, which vote shall be recorded by the clerk.

—quorum.

Meetings of boards to be public.

—powers of presiding officers.

Wards

SECT. 6. For election purposes said city shall be divided into seven wards, to contain, as near as conveniently may be, an equal number of legal voters; and it shall be the duty of the city council, once in ten years, and not oftener than five years, to review, and, if it be needful, to alter said wards, in such manner as to preserve as nearly as may be, an equal

number of voters in each ward. All regular ward meetings shall be notified and called by the mayor and aldermen in the manner provided in the laws of this state, for notifying and calling town meetings by the selectmen of the several towns.

SECT. 7. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman and three common councilmen, a warden and ward clerk shall be elected by each ward, being residents in the ward where elected. All said officers shall be elected by ballot, by a plurality of the votes given, and shall hold their office one year from the second Monday in March, except as to wardens and ward clerks, who shall hold their office until others shall be elected and qualified in their places.

SECT. 8. On the first Monday in March, annually, the qualified electors of each ward shall ballot for a mayor, one alderman, three common councilmen, and a warden and ward clerk, on one ballot. All the votes given for the said several officers respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given for each, to be written on the ward records at length. The ward clerk within twenty-four hours after such election, shall deliver to the persons elected aldermen, common councilmen, warden and ward clerk, certificates of their election, and shall forthwith deliver to the city clerk a certified copy of the records of such election; *provided, however,* that if the choice of aldermen, common councilmen, warden or ward clerk is not effected on that day, the meeting shall be adjourned from day to day, until a choice shall be effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have received the greatest number of votes given for mayor in all the wards, to be notified in writing, of his election; but if it shall appear that no person shall have been so elected, or if the person elected shall refuse to accept said office; the said board shall issue their warrant for another election; and in case of a vacancy in the office of mayor, by death or otherwise, it shall be filled for the remainder of the term by a new election, in the manner heretofore provided for the choice of said mayor. The oath or affirmation prescribed by this

—ward meetings.

Mayor to be elected from citizens at large.

—members of city government and ward clerks to be residents of ward, where elected.

Tenure.

Annual meeting.

Votes, how sorted, etc.

Ward clerk to deliver certificates of election to ward officers.

Meetings to be adjourned from day to day till choice is effected.

Mayor to be notified of election.

Proceedings if mayor is not elected at first meeting or refuses to accept.

Vacancy, how filled.

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Oaths, how
administered.

act shall be administered to the mayor by the city clerk, or any justice of the peace in said city. The aldermen and common councilmen elect shall, on the second Monday in March, at ten o'clock in the forenoon, meet in convention, when the oath or affirmation required by the second section of this act shall be administered to the members of the two boards present, by the mayor or any justice of the peace, and thereupon the two boards shall separate, and the board of common council shall be organized by the election of president and clerk.

Wardens and
clerks shall be
sworn.

SECT. 9. The warden and ward clerk shall be sworn or affirmed to the faithful performance of their duty, by any justice of the peace of said city, or by the person presiding at the ward meeting, as heretofore provided, or by the clerk of said ward, and a certificate of such oath or affirmation having been administered shall be entered by the clerk on the records of said ward. The wardens shall preside at all the ward meetings, with the powers of moderators of town meetings; and if at any meeting the warden shall not be present the clerk of the ward shall call the meeting to order and preside till a warden, pro tempore, shall be chosen. If neither the warden nor clerk shall be present, any legal voter in the ward may preside till a clerk, pro tempore, shall be chosen and qualified. The clerk shall record all the proceedings and certify the votes given, and deliver over to his successor in office all such records and journals together with all other documents and papers held by him in said capacity. The inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes.

Duties of wardens.

Who may preside
in absence of
warden and clerk.

Duties of clerk.

Permanent chair-
man, how chosen,
and duties.

SECT. 10. After the organization of the city government and the qualification of a mayor, and when a quorum of the board of aldermen shall be present, said board, the mayor presiding, shall proceed to choose a permanent chairman, who, in the absence of the mayor, shall preside at all meetings of the board, and at conventions of the two boards, and in case of any vacancy in the office of mayor, he shall exercise all the powers and perform all the duties of the office so long as such vacancy shall remain; he shall continue to have a vote in the board, but shall not have the veto power. The board of aldermen, in the absence of the mayor and permanent chairman, shall choose a president, pro tempore, who shall exercise the powers of a permanent chairman.

President, pro
tem., powers.

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SECT. 11. The city council shall annually on the second Monday in March, or as soon thereafter as may be convenient, by ballot in joint convention, elect for the ensuing year the following officers: a city clerk, a city treasurer, a chief of police, who shall be styled the city marshal, and who shall exercise all the powers and perform all the duties of a constable; one overseer of the poor, one assessor of taxes, a road commissioner, a collector of taxes, a school agent, one member of the superintending school committee or a supervisor and one or more city constables. All said officers and agents shall hold their offices during the ensuing year and until others are elected and qualified in their stead, unless sooner removed by the city council; and all moneys received and collected for and on account of the city by any officer or agent thereof, shall forthwith be paid into the city treasury. The city council shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalties and sureties from all persons trusted with the receipt or custody of the public money; shall have the care and superintendence of the city public buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase in the name of the city such real or personal property, not exceeding the sum of two hundred thousand dollars, including the property now owned by the city, as they may deem of public utility. And the city council shall, as often as once a year, cause to be published, for the information of the inhabitants, an account of receipts and expenditures and a schedule of the city property, and no money shall be paid from the city treasury unless the same be appropriated by the city council and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn.

City officers, how elected.

—tenure.

Duties of city council.

SECT. 12. At the first election of assessors of taxes and overseers of the poor, under this charter, three persons shall be elected members of each of said boards, one of whom shall be elected for one year, one for two years, and one for three years; and at each subsequent annual election one member of each board shall be elected for three years, each

Assessors, election, and tenure of.

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of whom shall continue in office until some other person shall have been elected and qualified in his place.

Election and removal of other officers, provided for.

—how officers elected by city, may be removed.

—vacancies, how filled.

Duties of assessors.

Taxes, how assessed.

—proviso.

Duties of city clerk.

General meetings, how and for what purpose held.

SECT. 13. The city council may provide by ordinance for the election and removal of all other necessary officers. All officers elected by the city council in joint convention may be removed by concurrent vote of a majority of all the members of each board of the city council. The compensation of all officers except the mayor shall be fixed by the city council. All vacancies may be filled by the board or boards having the power to elect or appoint. The term of all officers, except as otherwise specially provided, shall be for one year and until others are qualified in their places.

SECT. 14. The assessors of taxes shall execute and be subject to the same powers, duties and liabilities that the assessors in the towns in this state may exercise and be subject to. *Provided, however,* that the city council may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property, taxable in his ward, and who shall swear or affirm to faithfully perform his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes; *provided, however,* that it shall be lawful for the city council to establish further and additional regulations and provisions for the collection thereof.

SECT. 15. The city clerk shall be the clerk to the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen or common council, and shall perform all the duties and exercise all the powers by law incumbent upon or vested in town clerks; he shall give notice in one of the papers printed in the city, of the time and place of regular ward meetings; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen.

SECT. 16. General meetings of the citizens, qualified to vote in city affairs, may from time to time, be held to consult upon the public good; to instruct their representatives and to take all lawful measures to obtain redress of any grievances, according to the right secured to the people by the constitution of this state; and such meetings shall be duly warned by the mayor and aldermen upon the requisition in

writing, of thirty qualified voters. The city clerk shall act as clerk of such meetings and record the proceedings upon the city records.

SECT. 17. The city council shall have authority to establish and make regulations for the measurement and sale of wood and bark in said city, whether brought by land or water; and may affix suitable penalties for the violation thereof, anything in the public laws of the state to the contrary notwithstanding; and are hereby authorized and empowered to control the building of wharves and piers in said city and may authorize the extension of wharves into tide waters, and to make and ordain from time to time, such ordinances not repugnant to the constitution and laws of the state as they may deem expedient or necessary for the location and regulation of vessels, boats, steamers and other crafts in that portion of the harbor of Rockland which lies northerly and westerly of the following lines, namely; a line commencing at the point where the southern line of said city meets the shore and extending into said harbor in the same direction with said south line until it intersects a line running due south from the point where the northerly line of said city meets the shore; to affix penalties for the breach of such by-laws not exceeding twenty dollars for each offense, to be recovered upon complaint by the harbor master hereafter provided for, before the police court of said city, to the use of the city.

Council to establish regulations for sale of wood, bark, etc.

—control building of wharves.

—make harbor regulations.

—affix penalties for breach of by-laws.

SECT. 18. The city council shall have power to provide by ordinance for the election or appointment of a harbor master for said city, whose duty it shall be to enforce the observance of the ordinances of the city relating to the harbor, and laws of the state applicable thereto, and to prosecute all violations of such laws and ordinances; and such harbor master, in case of sickness or disability, may appoint a deputy, subject to the approval of the board of aldermen of said city, to perform his duties during such sickness or disability.

—may appoint harbor master.

—duties of.

SECT. 19. The city council shall have exclusive authority to lay out, widen, or otherwise alter or discontinue any and all streets or public ways in the city of Rockland without petition therefor and as far as extreme low water mark; and to estimate all damages sustained by the owners of land

—have exclusive authority over streets.

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—proceedings,
when streets are
to be laid out, etc.

—damages.

—remedy, if any
party is
aggrieved.

taken for that purpose. A joint standing committee of the two boards shall be appointed, whose duty it shall be to lay out, alter, widen or discontinue any street or way in said city, first giving notice of the time and place of their proceedings to all parties interested, by publishing the same two weeks successively in two weekly papers printed in Rockland, the last publication to be one week at least previous to the time appointed. The committee shall first hear all parties interested and then determine and adjudge whether the public convenience requires such street or way to be laid out, altered or discontinued; and shall make a written return of their proceedings, signed by a majority of them, containing the bounds and descriptions of the street or way, if laid out or altered, and the names of the owner of the land taken, when known, and the damages allowed therefor; the return shall be filed in the city clerk's office at least seven days previous to its acceptance by the city council. The street or way shall not be altered or established until the report is accepted by the city council, and the report shall not be altered or amended before its acceptance. A street or way shall not be discontinued by the city council excepting upon the report of said committee. The committee shall estimate and report the damages sustained by the owners of the lands adjoining that portion of the street or way which is so discontinued; their report shall be filed with the city clerk seven days at least before its acceptance. Any person aggrieved by the decision or judgment of the city council in establishing, altering or discontinuing streets may, so far as relates to damages, appeal therefrom to the supreme judicial court, which court shall determine the same by a committee or reference under a rule of court if the parties agree, or by a verdict of its jury, and shall render judgment and issue execution for the damages recovered, with costs, to the party prevailing in the appeal. Such appeal shall be made to the term of the supreme judicial court, which shall first be holden in the county of Knox, more than thirty days from and after the day the street is finally established, altered or discontinued, excluding the day of commencement of the session of said court. The appellants shall serve written notice of such appeal upon the mayor or city clerk, fourteen days at least before the session of the court, and shall at the first

term file a complaint setting forth substantially the facts of the case. On the trial exceptions may be taken to the rulings of the court as in other cases. Co-tenants who are appellants shall join in their appeal or shall not recover their costs. If an appeal is not so taken the right of appeal shall be held to be waived. If a street or way is discontinued before the damages are paid or recovered for the land taken, the land owner shall not be entitled to recover such damages, but the committee in their report discontinuing the same shall estimate and include all the damages sustained by the land owner, including those caused by the original location of the streets, and in such cases, if an appeal has been regularly taken the appellant shall recover his costs. The city shall not be compelled to construct or open any street or way thus hereafter established, until in the opinion of the city council the public good requires it to be done, nor shall the city interfere with the possession of the land so taken by removing therefrom materials, or otherwise until they decide to open and construct said street. The city council may reserve and set off as sidewalks such part or portion of the several streets in said city now or hereafter to be established, as may appear to be necessary for the safety, convenience and accommodation of foot passengers, and may regulate the height and width of sidewalks in any public square, places, streets, lanes or alleys in said city; and may authorize posts and trees to be placed along the edge of said sidewalks. Nor shall the city be answerable for damages occasioned by telegraph, telephone or electric light poles and wires erected in its streets.

Council may set
off sidewalks.

SECT. 20. Whenever the city council shall determine, by vote, to pave any street or way, or any portion thereof, in said city, with stones or other pavement, it shall be lawful for said city council to assess the lots or parcels of land adjacent to and bounded on such street or way, in such proportion as in their opinion such lots or parcels of land are benefited or made more valuable by such pavement. *Provided, however,* that the whole assessment so made on any lot or parcel of land shall, in no case, exceed one-third part of the cost of said pavement adjacent to said lot or parcel of land.

—may pave
streets and
assess lots
benefited.

—proviso.

SECT. 21. The city council shall have the power to construct a sewer, along the bed and in the line of the Lindsey

—may construct
a sewer.

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—assess lots benefited by.

—proviso.

—fix rates for all persons draining into.

Rights provided for in sec. 19, shall apply to pavement and sewer assessments.

City not liable for damages caused by sidewalks, ports or trees.

Mayor and aldermen may authorize placing of materials in streets for repair of same.

—city not liable for damages arising therefrom.

brook, so called, or any of its tributaries, and may change the direction thereof where necessary. The city council may assess the lots or parcels of land adjacent to and bounded on such sewers, or land through which such sewer passes, in such proportion as in their opinion the same are benefited or made more valuable by such sewer; *provided, however*, that the whole assessment so made on any lot or parcel of land shall in no case exceed one-third part of the cost of said sewer adjacent to said lot or parcel of land; or in case of a lot of land owned by one person, not to exceed two-thirds of the cost through such lot.

SECT. 22. The city council shall have the right to charge uniform rates for all persons draining into such sewer.

SECT. 23. All of the rights, powers and duties now provided for in section nineteen, relating to laying out, widening or altering any street or way, shall apply to assessments made and provided for in sections twenty and twenty-one.

SECT. 24. So much of the several streets in said city as shall be appropriated and reserved as sidewalks, agreeably to the provisions of section nineteen shall be taken and deemed to be reserved exclusively for the accommodation, convenience and use of persons traveling on foot; and said city shall not be liable for any injury or damage done or occasioned in consequence of any cart, carriage, wagon, truck or other vehicle, or any team or animal striking against any of the said sidewalks or the posts or trees set or placed to defend the same. The several sidewalks on the streets in said city, as at present established or used, or as they may be established at the acceptance of this act, shall be taken and deemed to be the proper and lawful reservation for that purpose, until altered or otherwise established by the proper authorities.

SECT. 25. The mayor and aldermen may on such terms and conditions, as they may think proper, license any person or corporation to place in any street, for such time as may be necessary, any materials for making or repairing any street, sidewalk, cross-walk, bridge, water course or drain, or for erecting, repairing, moving or finishing any building or fences, or for laying or repairing gas or water pipes. And such material or building so placed by virtue of any license obtained as aforesaid shall not be considered an incumbrance or nuisance in such street; and the city shall not be liable for any damage occasioned by such materials. Any

person or corporation occupying or using any of the streets in the city for the purposes aforesaid, without first obtaining a license therefor, shall be punished by a fine not exceeding twenty dollars for each offense, to be recovered on complaint for the use of the city.

—penalty for obstructing streets.

SECT. 26. The city council are hereby authorized and empowered to pass any ordinance or ordinances regulating or forbidding the erection of wooden buildings on any street or streets in said city, when they may deem it necessary or conducive to the public safety.

Council may regulate erection of wooden buildings.

SECT. 27. The municipal fiscal year shall end on the second Monday in February. And the reports of all city officials shall be completed and made to the city council at a meeting to be held on the third Monday of February. And the city treasurer shall cause to be published in all the city papers, at least one week prior to the first Monday in March, an accurate summary of the reports of all officials receiving or disbursing moneys of the city, and a statement of the condition of the several appropriations.

When fiscal year shall end.

SECT. 28. No appropriation of moneys for any purpose shall be made without a majority vote of all the members of each board of the city council.

Moneys, how appropriated.

SECT. 29. The city council may make and establish such ordinances or regulations as they may deem for the public good, for the regulation of the use of carts, drays or other teams in said city, and also prescribe the width of tire that shall be used..

Regulations for use of carts, etc., how made.

Approved March 4, 1886.

Chapter 483.

An Act to amend section five of chapter two hundred and eighty-one, Special Laws of eighteen hundred and eighty-three, entitled "An Act to incorporate the city of Waterville."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section five of chapter two hundred and eighty-one, special laws of eighteen hundred and eighty-three, is hereby amended by striking out in line eight, the words "a majority," and

Sec. 5, ch. 231, special laws of 1883, amended.

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Laws, etc., to be
approved by
mayor.

substituting the words 'two-thirds,' so that said section shall read as follows :

'SECT. 5. Every law, act, ordinance or bill, appropriating money, having passed the board of aldermen, shall be presented to the mayor, and if he approve the same he shall sign it, if not he shall return it within seven days, with his objections, to the board of aldermen, which shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If upon such reconsideration, two-thirds of the whole number of the board of aldermen shall agree to pass it, it shall have the same effect as if signed by the mayor.'

Approved March 4, 1885.

Chapter 484.

An Act to amend the charter of the Pejepscot Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 100,
private laws of
1881, amended.

Section one of chapter one hundred and nine of the private and special laws of eighteen hundred and eighty-one, is hereby amended by inserting after the word "Bath," in the sixth line, the words 'or any part thereof,' and adding thereto the following words :

'The towns and city shall have no right, under any public or general law, to take water from any aqueduct, pipe or reservoir of the company without its consent ; but they may contract with said company for a supply of water for fire or other purposes, for a term of years ; and such contracts may be renewed or changed by mutual consent,' so that said section as amended, shall read as follows :

Corporators.

'SECT. 1. Charles J. Gilman, Benjamin Greene, John Furbish, Eliphalet W. Dennison, Albert G. Page, and Samuel D. Bailey, with their associates and successors, are hereby made a corporation by the name of the Pejepscot Water Company, for the purpose of conveying to the towns of Brunswick and Topsham and the city of Bath or any part thereof, a supply of pure water for domestic and municipal purposes, including the extinguishment of fires, the supply of

Corporate name.

shipping and the use of manufacturing establishments. The towns and city shall have no right, under any public or general law, to take water from any aqueduct, pipe or reservoir of the company, without its consent; but they may contract with said company for a supply of water for fire or other purposes, for a term of years; and such contracts may be renewed or changed by mutual consent.'

Towns and city shall not take water without consent of company.
—may contract for.

Approved March 4, 1885.

Chapter 485.

An Act to incorporate the Portsmouth and Kittery Steam Ferry Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. That Augustus Stevenson, Charles W. Cottle, Eleroy Cottle, George W. Muchmore, Moses D. Moore, Stephen L. Marston, Richard H. Waldron and George W. Green, their associates and successors, be and they are hereby incorporated and made a body politic by the name of the Portsmouth and Kittery Steam Ferry Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and be known and distinguished in all their acts and proceedings; and shall be, and hereby are invested with all the powers and privileges, and made subject to all the liabilities incident to corporations of a similar nature.

Corporators.

Corporate name.

Powers and liabilities.

SECT. 2. That said corporation be authorized to carry on and operate a steam ferry for the purpose of conveying teams of all kinds; such freight as is not prohibited by law; also individual passengers across the Piscataqua river between, at, or near the end of the navy yard bridge, in navy yard village, so called, in said Kittery and state of Maine, and to some convenient point in Pepperell's cove, in said Kittery, and Portsmouth, and Newcastle in the state of New Hampshire.

Authorized to operate steam ferry.

—route.

SECT. 3. The capital stock of said corporation shall not exceed thirty thousand dollars, and be divided into shares of ten dollars each.

Capital stock.

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First meeting,
how called.

Officers and
by-laws.

May hold real
estate.

Land may be
taken, how.

—Damages, how
assessed.

—may establish
landings.

Act void unless
ferry is put in
operation within
three years.

SECT. 4. Any five of the persons named in this act, may call the first meeting of said corporation, by giving to the other persons named herein, a written notice at least seven days previous thereof, at which or any subsequent meeting, officers may be chosen, and such by-laws, not repugnant to the laws of this state, as may be thought proper, may be adopted.

SECT. 5. Said corporation may purchase and hold or lease real estate in the town of Kittery, for the purpose of slips, wharves, ferry tolls and waiting rooms to the amount deemed requisite by the directors:

SECT. 6. In case said corporation is unable to agree with the owners of the land required, and necessary for the convenience of said company, the York county commissioners shall have power to take the land, devote it to the purposes required for said company, and assess the damages therefor in the same manner and with the same powers as in laying out highways, subject to the same rights of appeal on the parts of land owners.

SECT. 7. Said corporation is hereby authorized to drive the piles deemed necessary by its managers, for slips, wharves, and buildings, to be used in connection with the ferry, upon such privilege as it may buy, lease, or in any way receive and occupy for landings in said Kittery.

SECT. 8. This act shall be void unless the ferry is put in actual operation between Portsmouth and Kittery, at the point or points, herein named in the town of Kittery, within three years from the passage hereof.

SECT. 9. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 486.

An Act regulating the appointment of the members of the Police Force of the city of Portland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No person shall be appointed to the police or watch of the city of Portland, as policeman, patrolman, watchman, or keeper, or for any position of like rank, or for any position of inferior rank thereto, unless such person shall be a citizen of the United States and not over forty-five years, nor under twenty-five years of age, and shall have successfully passed a competitive examination as herein provided, within two years before said appointment, and shall have had a continuous residence in the city of Portland, from at least two years before said examination to the time of said appointment. When any policeman, patrolman, watchman or keeper shall have arrived at the age of sixty years he shall be honorably discharged. The mayor and aldermen shall, as soon as may be, after the passage of this act, provide for such competitive examination by proper rules and regulations, which rules and regulations may thereafterwards be amended by said mayor and aldermen.

Appointment and qualification of policemen for the city of Portland.

Mayor and aldermen to provide rules for examination of.

SECT. 2. Such rules and regulations shall determine who shall constitute the examining board and how they shall be appointed. Said examining board shall consist of not less than three citizens, who shall serve without pay, and not more than a majority of whom shall be from the same political party, but shall include the city physician or some other competent physician or surgeon of approved reputation and standing. Said rules and regulations shall provide for supplying all vacancies in such examining board.

Examining board, appointment and qualification of.

—vacancies.

SECT. 3. All such examinations, except the surgical part thereof, shall be public and after reasonable public notice to be prescribed by said rules and regulations; and the examiners shall make and file with the city clerk, to remain as part of the public files of the city, full reports of all said examinations with such special details as may be required by such rules and regulations, and shall state in said reports which candidates have successfully passed such examination; and the relative standing of such successful candidates. Ex-

Examinations shall be public.

Examiners shall file report with city clerk.

CHAP. 486

cept as otherwise herein expressly provided, all said examinations and reports shall be as provided by said rules and regulations and amendments thereof.

Appointments,
how made.

SECT. 4. All appointments hereafter for any office or position described in section one, shall be made by the mayor with the approval of the aldermen, by selection from a list of not more than three persons from said successful candidates, who have been certified by the examining board as having attained the highest rank, and all removals from such office or position shall be likewise made by the mayor with said approval.

—removals.

Appointment of
deputy marshal
and officers, how
made.

SECT. 5. Every appointment of deputy marshal, captain of the watch, sergeant of police, and all other appointments to said police or watch, except as herein otherwise provided, and except the city marshal or other head of police, and except detectives, not employed in the ordinary duties of the force shall be made by selection on recommendation of the marshal from those persons who have been members of said police or watch, for a continuous period of at least twelve months before such appointment.

—city marshal,
and tenure.

SECT. 6. The city marshal shall be appointed by and hold office during the pleasure of the mayor.

Act not to apply
to special
policemen.

SECT. 7. This act shall not apply to policemen or watchmen not in the pay of the city, nor to special policemen employed temporarily on extraordinary occasions.

Except as pro-
vided by this act,
power of city
government not
impaired.

SECT. 8. Except as herein expressly provided, this act shall not take away or impair any authority or power relative to police or watch vested in the city council, aldermen, mayor or any other officer, or official board of the city of Portland.

SECT. 9. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 487.

An Act relating to the Edgcomb Mica Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Edgcomb Mica Company, a corporation duly organized under the general law of the state, on the second day of September, in the year of our Lord one thousand eight hundred and eighty-one, is hereby authorized and empowered to engage in the business of mining or quarrying all minerals or metals found on property now or hereafter owned or controlled by said company for mining or quarrying purposes, and of working or manufacturing the minerals of metals so quarried or mined, and to purchase the right of quarrying or mining the same ; and all acts of said company, heretofore done in quarrying or mining on premises now controlled and operated by said company in Edgcomb, Maine, are hereby confirmed and made valid.

Company authorized to engage in business of mining, etc.

—acts of, made valid.

SECT. 2. The annual meeting of said company shall hereafter be held in Auburn, Maine, and the location of said company is hereby changed from Portland, Maine, as mentioned in the certificate of organization, to Auburn, Maine.

Annual meetings.

—location of company changed.

SECT. 3. Nothing contained in this act shall affect pending litigation, and this act may be accepted by a majority vote of said company.

Pending litigation not affected.

SECT. 4. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 488.

An Act to incorporate the East Side Water Company in Augusta.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Henry M. Harlow, Orville D. Lambard and Lendall Titcomb, with their associates and successors, are hereby made a corporation by the name of the East Side Water Company for the purpose of supplying that part of the city of Augusta which lies east of Kennebec river, with a supply of pure water.

Corporators.

Corporate name.

Purpose.

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May hold real estate.

SECT. 2. Said corporation may hold real and personal estate, necessary and convenient for the purposes aforesaid, not exceeding in amount ten thousand dollars.

—take land.

SECT. 3. Said corporation is hereby authorized for the purpose aforesaid, to take and hold by purchase or otherwise any land or real estate necessary for erecting and maintaining reservoirs and for laying and maintaining aqueducts necessary for the business of the company.

Damages, how ascertained.

SECT. 4. In case said company and the owners of land so taken shall be unable to agree upon the price to be paid therefor, said company may take and use such real estate; the damages first to be ascertained and paid in the manner prescribed for taking land for highways.

Capital stock.

SECT. 5. The capital stock of said corporation shall not exceed ten thousand dollars and be divided into shares of one hundred dollars each.

Authorized to lay pipes, etc

SECT. 6. Said corporation is hereby authorized to lay down and maintain in and through the streets of that part of said city which lies east of Kennebec river, all pipes, aqueducts and fixtures necessary for the purposes of said company, and to repair and replace all such pipes, aqueducts and fixtures as may be necessary, at its own expense, and with as little obstruction to public travel as may be practicable under such restrictions and regulations as the city government may prescribe.

—take water.

SECT. 7. Said corporation is authorized to take water for its supply from the Kennebec river.

Power of mayor and aldermen to regulate.

SECT. 8. The mayor and aldermen of said city shall have power to regulate, restrict and control the acts of said corporation, which may in any manner affect the health and safety of the inhabitants of said city.

Powers and privileges.

SECT. 9. Said corporation shall have all the powers and privileges not inconsistent with the special restrictions of this act, and be subject to all the duties of like corporations as defined by the general laws of this state. *Provided*, that nothing contained in this act shall be construed as in any way affecting any rights granted to or acquired by the Augusta Water Company or the Devine Water Company by virtue of their charters.

Proviso.

First meeting, how called.

SECT. 10. The first meeting may be called by a notice signed by one of the corporation and delivering a copy thereof

to each of the others, stating the time and place of meeting, CHAP. 489
 five days at least before the time specified.

SECT. 11. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 489.

An Act relative to the election of Assessors and Overseers of the Poor in the city of Augusta.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The city council of the city of Augusta shall, Election of assessors.
 on the third Monday of March, in the year one thousand eight hundred and eighty-five, or as soon thereafter as conveniently may be, elect three assessors, one of whom shall —tenure.
 be elected for three years, one for two years and one for one year; and thereafter, except to fill vacancies, one assessor —vacancies, how filled.
 shall be elected each year for the term of three years.

SECT. 2. The city council of the city of Augusta shall, Election of overseers of the poor.
 on the third Monday of March, aforesaid, or as soon thereafter as conveniently may be, elect three overseers of the poor, one of whom shall be elected for three years, one for —tenure.
 two years and one for one year; and thereafter, except to fill vacancies, one overseer of the poor shall be elected each year Vacancies, how filled.
 for the term of three years.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed. Inconsistent acts repealed.

SECT. 4. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 490.

An Act creating the Phillips Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The territory embraced within the limits of school Corporate limits.
 district number three, in the town of Phillips, together with the inhabitants thereon, be, and the same hereby is created a body politic and corporate by the name of the Phillips Corporate name.
 Village Corporation.

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May raise money
for fire depart-
ment.

SECT. 2. Said corporation is hereby invested with power, at any legal meeting called for the purpose, to raise such sums of money as may be sufficient for the purchase, repair and preservation of one or more fire engines, engine houses, hose, buckets, hooks, ladders, or other apparatus, for the extinguishment of fire; and for organizing and maintaining, within its limits, an efficient fire department.

—how assessed.

SECT. 3. Any money raised by said corporation for the purposes aforesaid, shall be assessed upon the property and polls within the territory, by the assessors of said corporation in the same manner as is provided by law for the assessment of county and town taxes, and said assessors may copy the last valuation of said property by the assessors of the town of Phillips, and assess the tax thereon, if said corporation shall so direct, and may abate any tax by them so assessed, the tax on polls not to exceed the sum of one dollar to any one person in one year.

—abatement of.

SECT. 4. Upon a certificate being filed with the assessors of said corporation by the clerk thereof, of the amount of money raised at any meeting for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the polls and estates of the persons residing on the territory aforesaid, and upon the estates of non-resident proprietors thereof, and lists of the assessments so made, to certify and deliver to the collector, whose duty it shall be to collect the same in like manner as county and town taxes are by law collected by towns, and to pay over the same to the treasurer of said corporation, who shall receive the same and pay it out to order or direction of the corporation, and keep a regular account of all moneys received and paid out and exhibit the same to the assessors whenever requested; and said corporation shall have the same power to direct the mode of collecting said taxes as towns have in the collection of town taxes.

collection of.

Officers.

SECT. 5. The officers of said corporation shall consist of a clerk, treasurer, assessors, collector, fire wardens, and such other officers as may be provided for, in the by-laws of said corporation; which said fire wardens shall have, exclusively, all the power and authority within the limits of said corporation, that fire wardens now have chosen by towns in town meeting.

SECT. 6. Said corporation, at any legal meeting thereof, may adopt a code of by-laws for the government of the same and for the efficient management of the fire departments aforesaid, *provided*, the same are not repugnant to the laws of the state.

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By-laws.

SECT. 7. All the officers of said corporation shall be chosen by ballot, and sworn to the faithful performance of their duties; the first election to be at the meeting of the legal voters of the corporation, called to accept this charter, and the annual election of officers shall be in the month of March.

Officers, how chosen and sworn.

First, and annual elections.

SECT. 8. The collector and treasurer shall give bonds in double the amount of the tax so raised, to the inhabitants of said corporation, which bonds shall be approved by the assessors and clerk.

Collector and treasurer to give bonds.

SECT. 9. S. D. Davis and Seward Dill, or either of them, are hereby authorized to call the first meeting of said corporation, and to notify the legal voters thereof to meet at some suitable time and place, within the limits aforesaid, by posting up notices in two public places within said limits, seven days at least before the time of said meeting; and either of said persons are authorized to preside at said meeting until after its organization, and until after a moderator shall be chosen by ballot and sworn, and at all meetings of the corporation, a moderator shall be chosen in the manner, and with same powers as in town meetings.

First meeting, how called.

—election of moderator and powers.

SECT. 10. All persons liable to be taxed for polls, residing in the limits of said corporation, shall be legal voters at any meeting of said corporation.

Qualification of voters.

SECT. 11. This act shall take effect when approved by the governor, so far as to empower the first meeting of said corporation to be called, and if this charter shall be accepted at said first meeting of said corporation, by a majority of the legal voters of said corporation, then the same shall take and have complete effect in all its parts. But there shall be but one such meeting called in each year for such purpose.

When act shall take effect.

Approved March 4, 1885.

CHAP. 491

Chapter 491.

An Act additional to "An Act to incorporate the Piscataquis Mutual Insurance Company" and acts additional thereto, and amendatory thereof.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Assessments,
when made.

SECT. 1. Assessments by the Piscataquis Mutual Insurance Company or its directors as provided by "An Act to incorporate the Piscataquis Mutual Insurance Company," approved February two, in the year eighteen hundred and thirty-three, and acts additional thereto, and amendatory thereof, approved respectively on February four in the year eighteen hundred and fifty-nine, and on March sixteen in the year eighteen hundred and sixty-four, shall be made once in two years and three months, or at shorter periods of time, as the directors of said corporation may, from time to time, determine, and the treasurer of said company, by order of its directors, may from time to time, between such assessments, obtain money on loans, on the faith and responsibility of said company, to pay the debts and liabilities of said company arising or maturing between assessments as aforesaid, or otherwise, and may issue the promissory notes of said corporation therefor, payable with interest annually, at times not exceeding three years from dates thereof respectively.

Directors may
obtain temporary
loans.

That assessments
and loans not
affected.

SECT. 2. This act shall not be construed as denying the power of said corporation, in the past, to make assessments or obtain loans, substantially as provided in the preceding section.

Approved March 4, 1885.

Chapter 492.

An Act to charter the Merchants' Insurance Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. L. J. Morse, George Stetson, T. J. Stewart John Cassidy, E. B. Nealley, Charles P. Stetson, John L. Cutler, Noah Emery, E. L. Stewart, Gilbert Howell, Charles Hayward, Henry Lord, Wm. B. Snow, F. H. Clergue, H. P. Sargent, and Edward Stetson, with their associates and

successors, be and hereby are made a body corporate and politic, by the name of the Merchants' Insurance Company, having its place of business at Bangor, and are authorized to take marine and inland insurance and railroad transportation risks. All the rights and privileges granted to similar corporations in this state are hereby granted to this company, with the right to make such by-laws as they may deem advisable, not inconsistent with the laws of this state.

Corporate name

SECT. 2. The capital stock of said company shall be one hundred thousand dollars, to be increased, whenever the stockholders may desire, to an amount not exceeding five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, one-quarter of which shall be paid in or safely secured before any risks shall be taken, and the balance of said stock shall be paid in or secured at such time or times as the directors may order, notice thereof to be given in any newspaper published in Bangor, for two weeks successively, the last publication to be at least one week before the time of payment.

Capital stock

SECT. 3. The management of business, not otherwise provided for in the by-laws of the company, shall be under the direction of a board of directors, elected at the annual or some special meeting called for the purpose, and any director or officer of other insurance companies shall be eligible as director or officer in this company.

Management vested in board of directors.

—election of.

SECT. 4. Said company is authorized to invest in or loan its capital and accumulations, on mortgages of real estate, national, state, county or city bonds, or in such other manner and upon such security as the board of directors may approve and direct, and may purchase and hold real estate to an amount not exceeding fifty per cent of their capital, in addition to what they may hold by way of mortgage, or what may accrue to them by foreclosure of mortgage, or as security for indebtedness.

Investments, how made.

SECT. 5. Said company shall hold a lien upon the stock of any stockholders indebted to the company, and no transfer of such stock shall be permitted, reducing the amount of his stock below the amount of such indebtedness, without the consent of the directors by a vote, which vote shall be recorded upon the records of the company, and all liability to the company, either as promisor or indorser upon any

Liability of stockholders indebted to the company.

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note, draft or other negotiable paper, whether the same be matured or not, shall be deemed indebtedness to the company.

SECT. 6. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 493.

An Act authorizing the Governor to appoint special officers to enforce police regulations among the Indian tribes of the State.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Appointment
of Indian
constables.

—powers.

—tenure.

—removal.

SECT. 1. The governor with the advice and consent of the council, is hereby authorized to appoint one or more reliable and well commended Indians, without pay, in each of the Indian tribes in this state, as special constables with like powers and duties of constables and police officers, within towns and cities, in the enforcement of the laws of the state, within the limits of the reservation of his tribe, with authority to take any offender before any court of competent jurisdiction, within his county.

SECT. 2. Said constables shall be appointed for one year, and may be removed at any time by the governor.

Approved March 4, 1885.

Chapter 494.

An Act to make valid the doings of the municipal officers of the town of Waldoborough.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of officers
of Waldoborn,
made valid.

SECT. 1. The doings of the municipal officers of the town of Waldoborough in locating and building a school-house in district number eleven in said town, also the doings of the assessors of said town in assessing a tax on the polls and estates of the inhabitants of said district, for purchasing a lot and for building the same, are hereby made legal and valid.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 495.

An Act to incorporate the People's Ferry Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Frederick H. Harford, Charles A. Tilton, Tristram G. Hutchins, David A. Kincaid, Aurelius V. Cole, Andrew W. Smart, Rotheus M. Cole, Caleb Dyer, William Spear, Nathan R. Dyer, M. Saunders Small, Albert M. Spear, and their associates, successors and assigns, are hereby created a body politic and corporate by the name of the People's Ferry Company with power by that name to sue and be sued, to have and use a common seal, to establish suitable by-laws and regulations for the proper management of its affairs, not repugnant to the laws of the state, and to exercise and enjoy all the powers and privileges incident to regular corporations.

Corporators.

Corporate name.
—powers and
privileges.

SECT. 2. The capital stock of said company shall not be less than ten thousand dollars, nor more than sixty thousand dollars, and shall be divided into shares of fifty dollars each.

Capital stock.

SECT. 3. Said corporation is hereby authorized to establish, set up and maintain a steam ferry across Fore river, between Ferry village in Cape Elizabeth and Portland, at such places as said corporation may select and acquire by lease, purchase, gift or in some other lawful manner, with a double end ferry boat or boats to be propelled by steam and such other boats as may be suitable and convenient for the night time or when said river is obstructed by ice.

Authorized to
establish steam
ferry between
Cape Elizabeth
and Portland.

SECT. 4. That a toll be and is hereby granted and established for the use of said corporation according to the following rates, namely: For each foot passenger, not exceeding four cents, and thirty-five tickets for foot passengers shall be sold upon demand for one dollar; for one vehicle drawn by one horse with driver, ten cents; for one coach with two horses and driver, fifteen cents; for each additional horse or person, four cents; for each cart or sled with two oxen and driver, fifteen cents; for each additional yoke of oxen, five cents; all other neat cattle and beasts of burden, three cents; sheep, swine and smaller animals, two cents each; and for each hundred weight of freight or less, four cents; and for

Tolls established

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Shall provide
landings, boats
and attendance.

—penalty for
neglect.

—how recovered.

Time for running
boats, fixed.

First meeting,
how called.

Act void unless
ferry is in opera-
tion within two
years.

Highway to, in
tide waters, not
to be located till
ferry is estab-
lished.

all trips made between nine o'clock in the evening and eleven and one-half o'clock at night, double fare may be charged.

SECT. 5. That said corporation shall, at all times, keep at the ferry established as aforesaid, after suitable and convenient landing places are provided, a boat or boats in good repair, suitable and convenient for the accommodation of travelers, their horses, carriages, carts, teams and cattle, and until such landing places are provided as aforesaid, such double end ferry boats may be used for the carriage of passengers and freight, and said corporation shall cause due and ready attendance on patrons, to be given on all occasions; and for every neglect of such attendance, said corporation shall forfeit and pay five dollars, and for every neglect in keeping such boat or boats, unless prevented by unavoidable circumstances or accident, fifty dollars, each penalty to be recovered by action of debt in any court of competent jurisdiction, to the use of any person who shall sue therefor, and shall be further liable to pay, in an action on the case, such special damages as any person may sustain by its unreasonable neglect.

SECT. 6. The time for running said boat or boats, unless prevented by accident or unavoidable casualty, shall be from six o'clock in the forenoon to eleven and one-half o'clock in the night time; and from six o'clock in the forenoon until nine o'clock in the afternoon, two round trips shall be made hourly, and from nine o'clock in the afternoon until eleven and one-half o'clock in the night time, one round trip shall be made hourly.

SECT. 7. Any three persons named in the first section of this act are hereby authorized to call the first meeting of the corporation by giving notice in the Cape Elizabeth Sentinel seven days before the time of said meeting.

SECT. 8. Unless the ferry hereby authorized is established and put in operation within two years from the approval of this act, then the same shall be void. And it is provided that the county commissioners of the county of Cumberland shall not be called upon to locate a public highway in tide waters in the city of Portland under the act of eighteen hundred and seventy-three, entitled "An Act to authorize and empower the county commissioners of Cumberland county to construct and maintain a public highway into tide waters in

the city of Portland," until a double end team ferry-boat suitable for the carriage of teams and carriages is put upon said ferry route and its continuous operation secured to the satisfaction of said county commissioners.

SECT. 9. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 496.

An Act to incorporate the Rockabema Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Charles D. Bryant, John Gardiner, A. H. Chase, J. W. Palmer, R. H. Pomeroy, F. W. Ayer, George W. Smith, Charles F. Palmer, Walter E. Palmer, William Engel and Llewellyn Powers, their associates and assigns, are hereby incorporated under the name of the Rockabema Improvement Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. The said corporation is authorized to build dams, side dams, remove rocks, and make other improvements in so much of the west branch of the Mattawamkeag river and Rockabema stream which lie westerly of the Aroostook road, so called, passing through Moro plantation and township number seven, range five, west of the east line of the state, in the county of Aroostook, to facilitate the driving of logs and lumber down the same, and for this purpose the said corporation may take land and materials necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials taken. Such damages shall be ascertained and determined by the county commissioners of the county of Penobscot, in the same manner and under the same conditions and limitations as are by law provided in the case of damages in the laying out of highways, and for the damage occasioned by the flowing of land the said corporation shall not be liable to an action at common law, but the person injured may have

Authorized to build dams, etc.

—purpose.

—may take land and materials.

—damages, how determined.

—damages for flowage.

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a remedy by a complaint for flowage, in which the same proceedings may be had as when a complaint is made under chapter ninety-two, revised statutes of eighteen hundred and eighty-three.

—may receive
tolls.

—lien on logs for
payment of.

—proviso.

Cost, how
reimbursed.

SECT. 3. The said corporation may demand and receive a toll for the passage of logs over the dam at the outlet of Rockabema lake, and their improvements down to the Aroostook road, in said Moro plantation, of twelve and one-half cents for each thousand feet, board measure, woods scale ; and said corporation shall have a lien upon all logs which may pass over said dam for the payment of said toll, but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs, or a major part of them, shall arrive at Penobscot boom, or place of manufacture, said corporation may seize said logs and sell at public auction so many thereof as shall be necessary to pay such toll and costs and charges, notice of the time and place of such sale ten days before such sale, being first given in some newspaper printed in Bangor ; and *provided*, that all logs and lumber cut on said township number seven, range five, and Mount Chase, shall be forever exempt from the toll herein established ; and *provided, also*, that when the said corporation shall, from tolls, be reimbursed for its expenditures and twelve per cent interest thereon, said toll shall cease.

SECT. 4. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 497.

An Act to authorize the construction of a highway across the tide waters of Ogunquit River in Wells.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Highway over
Ogunquit river
in Wells.

SECT. 1. A highway may be laid out, constructed and maintained in the manner provided in chapter eighteen of the revised statutes, across the tide waters of Ogunquit river in the town of Wells ; but not below the southerly line of the road leading from the county road near C. H. Littlefield's store, to said river.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 498.

An Act to authorize Gershom F. Burgess to build and maintain bridge across Goose River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Gershom F. Burgess of Camden, his heirs and assigns, are hereby authorized and empowered to build and maintain at the head of navigation in Rockport harbor in said Camden, a bridge twenty feet wide and extending thirty feet across Goose river, upon his own land, just south of the iron bridge across said river, *provided*, said bridge is so constructed as not to interfere with or obstruct navigation.

Gershom F. Burgess authorized to build bridge across Goose river in Camden.

SECT. 2. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 499.

An Act to set off a portion of the town of Weston, in the county of Aroostook, and annex the same to the town of Danforth, in the county of Washington.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All that portion of the town of Weston, in the county of Aroostook, lying west or southwest of the Baskahagan stream, so called, is hereby set off, and the same is annexed to the town of Danforth, in the county of Washington.

Weston and Danforth, set off.

SECT. 2. The county line between the said counties of Aroostook and Washington is hereby changed in accordance with the provisions of section one.

County line changed.

Approved March 4, 1885.

Chapter 500.

An Act to authorize the city of Saco and the trustees of Thornton Academy to contract for the tuition of scholars.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The city of Saco and the trustees of Thornton Academy, a corporation existing under a charter of this state, are hereby authorized to contract, each with the other, for

City of Saco and trustees of Thornton Academy authorized to contract for tuition of scholars.

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the tuition of scholars within said city, for one or more years, in the studies contemplated by the six preceding sections, referred to in revised statutes, chapter eleven, section thirty-four, and in such others as may be agreed upon, under a standard of scholarship to be mutually agreed upon and changeable by agreement of the school committee or supervisor of schools of said city, and such trustees.

—payment of
tuition, how
made.

SECT. 2. The payment for such tuition, by said city, may be in money or by lease to such trustees of buildings and grounds owned by said city, or by both money and lease, and the expenditures of said Saco under said contract, whether made from year to year or wholly at the commencement of the term of years, and whether in money or by such lease, shall be subject to same conditions and shall entitle said city to the same state aid as if it had made such expenditure for a free high school.

SECT. 3. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 501.

An Act to incorporate the Hancock County Agricultural Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. E. H. Greely, S. K. Whiting, Eugene Hale, C. C. Burrill, Wm. M. Roberts, S. H. Rodick, J. P. Haney, A. H. Genn, E. E. Chase, F. C. Giddings, N. B. Coolidge, John W. Somes, J. N. Tillock, A. R. Buck, C. H. Perkins, B. B. Havey and A. W. Cushman, their associates, successors and assigns, are hereby created a body politic by the name of Hancock County Agricultural Society, and by that name shall have power to sue and be sued, prosecute and defend suits at law and equity, to have and use a common seal and to change the same at pleasure, and pass any by-laws and regulations not inconsistent with the laws of this state which they may deem necessary for the management of their affairs and shall have and exercise all the powers and privileges granted to and exercised by agricultural societies and similar corporations.

Corporate name.

Powers and
privileges.

SECT. 2. Said corporation shall have power to purchase, lease and hold, or receive on bequest, real estate in the county of Hancock, the value of which, with the improvements and betterments, shall not exceed thirty thousand dollars, and personal property not exceeding in value five thousand dollars for the purpose of constructing and maintaining a driving park, fair grounds and exhibitions.

May hold real estate.

SECT. 3. Said corporation shall have all of the police powers, together with all other powers and privileges at all of their exhibitions of whatever name or nature which are conferred upon agricultural societies by sections sixteen, seventeen and eighteen of chapter fifty-eight of the revised statutes.

Shall have police powers.

SECT. 4. The prohibitions, restrictions, forfeitures and penalties provided by section nineteen of chapter fifty-eight of the revised statutes shall be applicable to all exhibitions of said corporation.

Sale of merchandise and refreshments, and exhibitions near grounds, restricted.

SECT. 5. Whoever, contrary to the regulations of said corporation shall enter or pass within the enclosure of its fair or exhibition grounds shall forfeit to such corporation a sum not exceeding three dollars, to be recovered on complaint.

Penalty for entering grounds contrary to regulations.

SECT. 6. The first meeting shall be held in Ellsworth and may be called by any three of the within named corporators by publishing notice of the time, place and object thereof in the Ellsworth American, at least fourteen days before the time of holding said meeting; and at said meeting the officers of said corporation may be chosen and such other corporate business done as may be deemed proper.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 502.

An Act additional to and amendatory of an act entitled "An Act to supply the people of Augusta with pure water."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Augusta Water Company authorized to take water from Kennebec river, etc.

SECT. 1. The Augusta Water Company is hereby authorized, for the purposes named in its said act of incorporation, to take, detain and use the water of Kennebec river, of Webber's pond in Vassalborough, Silver lake lying in Manchester and Sidney, and Cobbosseecontee lake lying in Manchester and Winthrop, or either of them; and is also authorized to erect and maintain dams and reservoirs, and lay and maintain pipes and aqueducts necessary for the proper accumulation, conducting, discharging, distributing and disposing of water, and forming proper reservoirs thereof; and said corporation may take and hold any lands necessary therefor, and may excavate through any lands when necessary for the purposes of said incorporation.

—to erect dams, lay pipes, etc.

—may take lands.

Liability for damages.

SECT. 2. Said corporation shall be held liable to pay all damages that shall be sustained by any person by reason of the taking of any land or other property as aforesaid, or by flowage, or by excavations through any land for the purpose of laying down pipes and aqueducts, and building dams and reservoirs, and also damages for all other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained, in the same manner and under the same conditions and limitations as are now prescribed by law in the case of damages by the laying out of highways.

—how ascertained.

Shall make surveys and file location.

SECT. 3. Said corporation shall cause surveys to be made for the purpose of locating, on lands other than its own, any dams, reservoirs, pipes or other fixtures to be hereafter erected, laid or constructed, and cause accurate plans of such location to be filed in the office of the city clerk of said city of Augusta, and notice of such location shall be given to all persons affected thereby, by publication in some newspaper published in said Augusta; and no entry shall be made upon any such lands, except to make surveys, until the expiration of ten days from said filing and publication.

SECT. 4. Said corporation is hereby authorized to increase its capital stock seventy-five thousand dollars above the amount named in said act of incorporation, so that the whole capital stock of said corporation shall be one hundred thousand dollars; and such increase shall be made, upon a vote of the stockholders of said corporation, by an issue of additional shares of the par value of one hundred dollars each, and such shares may from time to time be sold by the directors for the account of the corporation.

Capital stock.

SECT. 5. Said corporation is also authorized to issue its bonds for the construction, extension and improvement of its works, upon such rates and time as it may deem expedient, not exceeding in the aggregate, the sum of one hundred thousand dollars, and secure the same by a mortgage of the franchise and property of said company.

May issue bonds.

SECT. 6. The city of Augusta is hereby authorized to contract with said corporation for a supply of water for fire, or other purposes, for a term of years, and at the expiration of said contract, to renew or change the same.

City of Augusta authorized to make contract for water.

SECT. 7. This act shall take effect when approved.

Approved March 4, 1865.

Chapter 503.

An Act to incorporate the Togus Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Thomas W. Hyde, Luther Stephenson, Jr., Andrew R. Smith, with their associates and successors, are hereby made a corporation by the name of the Togus Water Company, for the purpose of conveying to and of supplying the inhabitants of the town of Chelsea and the National Soldiers' Home for disabled volunteer soldiers with water for all domestic, sanitary and commercial purposes, with all the rights and privileges and subject to all the liabilities and obligations of similar corporations under the general laws of this state.

Corporators.

Corporate name.

Purposes.

SECT. 2. Said corporation may take and hold, by purchase or otherwise, real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred thousand dollars.

May hold real estate.

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Powers.

SECT. 3. For the purposes aforesaid, said corporation is hereby authorized to take and use water from Worromontogus pond, so called, in the county of Kennebec, to conduct and distribute the same to and through the town and Home aforesaid; and in so doing to erect and maintain in said pond suitable gate-houses, and to connect pipes or aqueducts therewith; to survey for, locate, lay and maintain suitable pipes and aqueducts; to carry its pipes and aqueducts under or over any water course, bridge, highway, or other way; to enter upon and excavate any highway or other way, in such manner as least to obstruct the same; to enter, pass over and excavate any lands necessary for the purposes specified by this act; to carry, lay and maintain said pipes and aqueducts along and within the limits of any highway; to take and hold by purchase, or otherwise, any real estate, rights of way, or of water, necessary for the purposes authorized by this section; and in general to do such acts as may be necessary to carry out the purposes authorized by this section. And said corporation is further authorized, for the purpose of making all needed repairs, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein.

Shall file plans of location in registry of deeds, Kennebec county.

SECT. 4. Said corporation shall file in the registry of deeds, in the county of Kennebec, plans of the location of all lands and water rights taken under the provisions of this act; any plan of water rights shall specify the area of the aperture of the pipe or pipes at said gate-houses and the maximum amount of water to be daily drawn therefrom; and no entry shall be made upon any lands, except to make surveys, until the expiration of ten days from said filing; and with such plan, the corporation may file a statement of the damages it is willing to pay to any person for any property so taken, and if the amount finally awarded does not exceed that sum, the company shall recover costs against such person, otherwise such person shall recover costs against the company. New plans may be filed, with specifications as aforesaid, when it becomes necessary to increase the maximum daily amount of water to be taken. No person or persons, now owning any flowage rights upon said pond, shall be liable for any damage to said gate-houses, by the exercise of said rights of flowage.

—and statement of damages it is willing to pay.

Shall file new plans, if amount of water taken is increased.

Flowage rights of owners, protected.

SECT. 5. Said corporation shall be held liable to pay all damages that shall be sustained by any persons, by the taking of any land, water, rights of way, or other property, or by excavating through any land for the purpose of surveying, locating, laying or building gate-houses, pipes and aqueducts, and for any other injuries resulting from said acts, and if any person sustaining damage as aforesaid, shall not agree with said corporation upon the sum to be paid therefor, either party, on petition to the county commissioners of Kennebec county, within twelve months after said plans are filed, may have said damage assessed by them, and subsequent proceedings, and right of appeal thereon, shall be had in the same manner, and under the same conditions, restrictions and limitations as are by law prescribed in case of damages by laying out highways. Failure to apply, as aforesaid, within said twelve months, shall be held to be a waiver of said damages. Said company shall, in all cases, be obliged to repay to the town of Chelsea and to the city of Augusta all sums of money that said city or town shall be obliged to pay on any judgment recovered against said city or town for damages occasioned by any obstructions, or taking up or displacement of any highway by said company, together with reasonable counsel fees and costs made in defending any suit for damages as aforesaid, with interest on the same, to be recovered in an action for money paid, to the use of said company.

Damages for
land, etc., how
assessed.

SECT. 6. The capital stock of said corporation shall not exceed one hundred thousand dollars. The first meeting of said corporation may be called by a written notice thereof, signed by any two corporators herein named, served upon each corporator by giving him the same in hand, or by mailing the same, postage prepaid, seven days at least before the time of meeting.

Capital stock.
First meeting,
how called.

SECT. 7. This act shall take effect when approved.

Approved March 4, 1885.

Chapter 504.

An Act to incorporate the Maine Benefit Association.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. That George C. Wing, Wallace H. White, Sewall C. Strout, Nathan W. Harris, Stephen A. Lowell, Milton F. Ricker, Silvester Oaks, Seth M. Carter, Louis J. Martel, George D. Bisbee, John P. Swasey, Archie Lee Talbot, S. Clifford Belcher, James A. Hall, Albert R. Savage, Augustus F. Moulton, John B. Redman, Ruel T. McLellan, Charles H. Gilbert, their associates, successors and assigns be, and hereby are made a body politic and corporate, by the name of the Maine Benefit Association, for charitable and benevolent purposes, and furnishing relief and assistance by means of mutual agreements, and the payment of funds, and the carrying on of the business of life insurance on the assessment plan; and said corporation may sue and be sued, defend and be defended, have all by-laws and regulations which may be necessary to carry out the purposes of this act, and shall be vested with all the powers and privileges, and be subject to all the liabilities by law incident to corporations of a similar nature.

Corporate name.

Purposes.

Powers and privileges.

May hold real estate.

SECT. 2. Said corporation may purchase, take and hold by deed, gift, bequest, devise or otherwise, real and personal estate for the purposes of said corporation to an amount not exceeding at any one time fifty thousand dollars, and may improve, use, sell and convey or otherwise dispose of the same.

First meeting, how called.

SECT. 3. Any two of the five first named persons in this act may call the first meeting of this corporation by personal notice, either written or printed, delivered or mailed to each corporator at least ten days before the time of meeting.

Assessments shall be used only for paying death benefits.

SECT. 4. No part of the money realized from the assessments made to pay death benefits, shall be used for any other purpose than the paying of said death benefits.

Secretary to forward to Ins. Com'r, copy of record of organization.

SECT. 5. Within thirty days after the organization of this corporation, the clerk or secretary thereof shall forward to the insurance commissioner, a certified copy of its records, so far as they pertain to its organization.

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SECT. 6. This corporation shall, at all times, keep on deposit with the treasurer of state, a sum of money equal to one assessment on all the members thereof, and if said corporation shall neglect for thirty days to satisfy any judgment recovered against it in any court in this state, upon any certificate issued by it, the said treasurer shall apply the money so in his hands to the satisfaction of said judgment, and said corporation shall not transact any further business until said deposit is restored. This corporation shall annually, on the first day of January, deposit with the treasurer of state as a reserve fund for the benefit and protection of its certificate holders, cash or securities, approved by said treasurer to an amount equal to ten per cent of its total receipts on assessments made to pay death benefits during the year then ended, until said reserve fund so accumulated, shall amount to twenty-five thousand dollars.

Shall deposit with Treasurer of State, funds to satisfy any judgment against it.

Reserve fund.

SECT. 7. The insurance commissioner shall annually examine the books and accounts of this corporation, and shall make such other examinations as he regards necessary for the safety of the public or the holders of certificates. He may require the officers to produce for examination all books and papers of the company, and to answer on oath, all questions propounded to them in relation to its condition or affairs; and any officer who refuses to produce any book or papers upon his demand, or to be sworn or to answer any such questions, forfeits not exceeding two hundred dollars.

Insurance Commissioner shall annually examine accounts of.

—penalty if any officer refuses to produce records, etc.

SECT. 8. The commissioner at his annual examination, if he finds that the company has complied with the provisions of section six of this act, shall issue to it, his certificate of that fact. For making such examination, he shall receive from it twenty dollars and all traveling expenses.

Commissioner to grant certificate if provisions of sec. 6 have been complied with.

Fees of commissioner.

SECT. 9. If this company fails to comply with any of the provisions of this act, or if on examination, the commissioner thinks that it is in such a condition as to render its further proceedings hazardous to the public or its certificate holders, he shall cause such proceedings to be instituted against the company as are provided in section sixty-seven of chapter forty-nine of the revised statutes, so far as the same are applicable, and the funds in the hands of the treasurer of state shall be disposed of in accordance with the provisions of this

When commissioner thinks further proceedings hazardous to the public he shall apply for an injunction.

—proceedings thereon.

—funds in hands of treasurer, how disposed of.

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act, and the provisions of sections fifty-seven to sixty-three of chapter forty-nine of the revised statutes.

SECT. 10. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 505.

An Act to incorporate the Provident Aid Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. That Frederick Fox, Joseph E. Moore, Franklin J. Rollins, Everett Smith, Edmund Dana, Edward C. Goodnow, James L. Stoddard, John B. Cotton, Payson Tucker, their associates, successors and assigns, be and hereby are made a body politic and corporate by the name of the Provident Aid Society, for benevolent purposes and furnishing aid and relief by means of mutual agreements, guarantees, and payments of funds; and the said corporation may sue and be sued, defend and be defended, have and use a common seal, and establish all by-laws and regulations which may be necessary to carry out the purposes of this corporation.

Corporate name.

Purposes.

Powers.

May hold real estate.

SECT. 2. Said corporation may purchase, take and hold by deed, gift, bequest, devise or otherwise, real and personal estate, for the purposes of said corporation, to the amount of fifty thousand dollars in value.

First meeting, how called.

SECT. 3. The first five persons named in this act may call the first meeting of this corporation by mailing a notice therefor to each corporator, at least seven days before said meeting.

Shall deposit with Treasurer of State, funds to satisfy any judgment against it.

SECT. 4. Said corporation shall at all times keep on deposit with the treasurer of state, a sum of money equal to one assessment on all the members thereof, and if said corporation shall neglect for thirty days to satisfy any judgment recovered against it in any court in this state, upon any certificate issued by it, the said treasurer shall apply the money so in his possession to the satisfaction of said judgment, and said corporation shall not transact any further business until said deposit is restored. Said corporation shall annually on

Reserve fund.

the first day of January, deposit with the treasurer of state as a reserve fund for the benefit and protection of its certificate holders, cash or securities approved by said treasurer, to an amount equal to ten per cent of its total receipts on assessments made to pay death benefits during the year then ended, until said reserve fund so accumulated shall amount to twenty-five thousand dollars.

SECT. 5. No part of the money realized from the assessments made to pay death benefits, shall be used for any other purpose than the paying of said death benefits.

Assessments shall be used only to pay benefits.

SECT. 6. The insurance commissioner shall annually examine the books and accounts of said corporation, and shall make such other examinations as he regards necessary for the safety of the public or the holders of certificates. He may require the officers of said corporation to produce for examination all books and papers belonging to said corporation, and to answer on oath all questions propounded to them in relation to its condition of affairs; and any officer of said corporation who refuses to produce any book or paper upon his demand, or to be sworn or to answer any such questions, forfeits not exceeding two hundred dollars.

Insurance Commissioner shall annually examine accounts of.

—penalty if any officer refuses to produce books, etc.

SECT. 7. The commissioner at his annual examination, if he finds that the company has complied with the provisions of section four of this act, shall issue to it his certificate of that fact. For making such examination he shall receive from the corporation so examined, twenty dollars and all traveling expenses.

Commissioner to grant certificate if sec 4 has been complied with.

SECT. 8. If said corporation shall fail to comply with any of the provisions of this act, or if on examination the commissioner thinks that it is in such a condition as to render its further transaction of business hazardous to the public or its certificate holders, he shall cause such proceedings to be instituted against the corporation as are provided in section sixty-seven of chapter forty-nine of the revised statutes, so far as the same are applicable, and the funds in the hands of the treasurer of state shall be disposed of in accordance with the provisions of this act, and the provisions of sections fifty-seven to sixty-three of chapter forty-nine of the revised statutes.

When commissioner thinks further proceedings hazardous to the public he shall apply for an injunction.

—proceedings thereon.

—funds in hands of treasurer, how disposed of.

SECT. 9. This act shall take effect when approved.

Approved March 5, 1885.

CHAP. 506**Chapter 506.**

An Act to authorize the Lewiston and Auburn Horse Railroad Company to use Steam or Electricity as a Motive Power.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Lewiston and Auburn Horse R. R. Co., authorized to use steam or electricity as motive power.

—provided.

Liability for damages.

SECT. 1. The Lewiston and Auburn Horse Railroad Company is hereby authorized and empowered to use steam or electricity as a motive power on that portion of its road lying between its stable, as now located in the city of Auburn, and the terminus of its road at Lake Auburn; *provided, however*, if said corporation shall use steam as aforesaid, it shall not employ the ordinary railway locomotive engines, but shall confine its use to the noiseless smoke consuming street railway steam motors or cars; and *provided, further*, that neither the city of Auburn nor the inhabitants thereof, shall be liable for any damages caused by the operation of said railroad by steam or electricity.

SECT. 2. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 507.

An Act in relation to the Portland and Ogdensburg Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

City of Portland authorized to lease or sell its interest in P. and O. R. R.

Assent of city council necessary.

Lease or sale not valid unless ratified by vote of people.

SECT. 1. Any domestic or foreign railroad corporation is hereby authorized to acquire by lease or purchase, the whole or any part of the interest of the city of Portland, or of any other person or corporation in the railroad of the Portland and Ogdensburg Railroad Company, or the franchises, rights, powers and privileges appertaining thereto. And the city council of said city is authorized to assent to any lease of said railroad, or to confirm any such lease, so far as any interests of said city are concerned, and to cause to be executed agreements for the sale or lease of said railroad or of any interest of said city therein; *provided, however*, that no lease or agreement for the sale or lease of any interest of said city, in said railroad under the provisions of this act, or of any previous act, shall be valid until the same shall be ratified and

confirmed by a majority vote of the legal voters of the city of Portland, voting in ward meetings duly called according to law. *Provided*, that nothing herein contained, shall authorize incurring by or in behalf of said city any executory obligation or liability, contingent or absolute, except as hereinbefore expressly provided. —proviso.

SECT. 2. The holders of the bonds and coupons secured by the mortgage of said Portland and Ogdensburg Railroad Company, dated the first day of November, in the year of our Lord one thousand eight hundred and seventy-one, shall be entitled to the benefit of section ninety-three chapter fifty-one of the revised statutes, and of all the other provisions of said chapter and of all acts which may be passed in amendment thereof or in addition thereto relating to the formation of corporations, or to the rights, powers and privileges of corporations formed or to be formed by holders of bonds or coupons secured by mortgages from railroad corporations; and such holders of said bonds and coupons secured by the mortgage aforesaid, shall be entitled to the benefit of all the said statutes and acts with reference to all portions of the railway of said Portland and Ogdensburg Railroad Company, whether within or without the state of Maine, and with reference to all the franchises, rights, powers, privileges and obligations of said company whether existing, or exercised, or performed, or intended to be exercised or performed within or without the state of Maine, including the right to construct any uncompleted portion of the railways which said Portland and Ogdensburg Railroad Company is authorized to construct, and including all rights of connection, leasing, purchasing or consolidating with other railways or corporations, whether within or without the state of Maine; subject, nevertheless, to all provisions contained in section one hundred and six of said chapter; and such holders of said bonds and coupons shall have all such rights, privileges, franchises and powers herein conferred, and the benefit of said section ninety-three, and of all the other provisions of said chapter, and of all acts which may be passed amendatory thereof or in addition thereto, whether the mortgage securing said bonds and coupons may be foreclosed in the manner provided in said chapter, or by some decree or judgment of some court of equity or law; so that upon the completion of such fore-

Rights of the holders of bonds and coupons, preserved and protected.

CHAP. 507

closure, in whatever mode the same may be made, such holders of said bonds and coupons, their successors and assigns shall become a corporation as provided in said section ninety-three, with all the aforesaid property, franchises, powers, privileges and obligations whether existing or exercised, or to be exercised within or without the state of Maine.

Rights of persons purchasing at foreclosure sale, protected.

SECT. 3. Section one hundred five of said chapter shall apply to any persons purchasing at any foreclosure sale which may be decreed of any portion of the said railway, franchises, rights, powers and privileges, although said sale may include some parts of said railway, franchises, powers, privileges and rights existing or being exercised or intended to be exercised without the state of Maine, and such purchasers shall have all the benefits of said section one hundred and five and of all the acts and statutes described in section two of this act so far as applicable with reference to all said portions of said railway, franchises, rights, powers and privileges covered by said sale whether existing or exercised or to be exercised within or without the state of Maine. *Provided, however,* that no purchaser or purchasers at any foreclosure sale, nor any person or persons claiming under such purchaser or purchasers shall have the benefit of this section, nor form a corporation until he or they shall make provision for the payment of the floating debt of the Portland and Ogdensburg Railroad Company enumerated in schedule "B" of the liabilities of said company filed with the clerk of courts for the county of Cumberland in the suit Weston F. Milliken et als. in equity versus the Portland and Ogdensburg Railroad Company, and shall have given opportunity for the period of three months to any holder of any bond or coupon secured by the mortgage by virtue of which or for enforcing which said sale was made, to acquire an interest in the purchase by him or them, in the same proportion to all the interest so acquired by said purchase which all the bonds and coupons of such holder bear to the whole amount of bonds and coupons secured by such mortgage; *provided, nevertheless,* such holder shall pay the same proportion of the cost of such purchase, such payment to be made within three months after notice has been given by the purchaser or purchasers, or the persons claiming under them, that they desire to avail

--purchasers shall provide for payment of floating debt before forming new corporation.

himself or themselves of this section, such notice to be published at least six times in some daily newspaper in each of the cities of Portland and Boston. And such holders coming into such purchase shall be associated in the new corporation in proportion to their respective interests; and *provided, further*, that no organization shall be made unless there are represented at the meeting held for the purpose, not less than seventeen hundred thousand dollars in amount of the bonds secured by said mortgage.

SECT. 4. Such new corporation may issue its bonds secured by mortgage upon the whole of its railway, including that portion lying out of the state, or any part thereof, with its franchises and privileges to such amounts as it may, from time to time deem necessary to complete, equip or improve its railway, or to pay any prior incumbrance or indebtedness.

New corporation
may issue bonds.

SECT. 5. Such new corporation is authorized to obtain concurrent or other legislation of the state of New Hampshire, for the purposes of giving effect to the rights, powers, privileges and franchises intended to be secured by this act and of enabling it to complete and extend its line of railway within said state of New Hampshire, or elsewhere, and of securing to itself any or all powers, rights, franchises and privileges at any time possessed by the Portland and Ogdensburg Railroad Company within the state of New Hampshire, or elsewhere, or under the laws of said state of New Hampshire.

—authorized to
obtain legislation
of State of New
Hampshire to
give effect to
rights secured
under this act,
etc.

Approved March 5, 1885.

Chapter 508.

An Act to establish a Municipal Court in the town of Norway.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. A municipal court is hereby established in and for the town of Norway to be denominated the Norway Municipal Court, which shall be a court of record with a seal, and shall consist of one judge, who shall be an inhabitant of the county of Oxford, of sobriety of manners, who shall be appointed as provided in the constitution, and who shall have

Norway municipal court
established.

Court of record
with seal.

Judge, appointment, term and
qualifications.

CHAP. 508

and exercise concurrent authority and jurisdiction with trial justices, justices of the peace, and justices of the peace and of the quorum, over all matters and things within their jurisdiction, and such authority and jurisdiction additional thereto as is conferred upon him by this act.

Concurrent
jurisdiction.

SECT. 2. Said municipal court shall have jurisdiction as follows: First: Original jurisdiction concurrent with the supreme judicial court of the larcenies described in sections one, six, seven, eight and nine of chapter one hundred and twenty of the revised statutes, when the value of the property is not alleged to exceed thirty dollars, of the assaults and batteries described in section twenty-eight of chapter one hundred and eighteen of the revised statutes; and of the offenses described in section six of chapter one hundred and twenty-four of the revised statutes, and may punish for either of said offenses by fine not exceeding fifty dollars and by imprisonment in the county jail not exceeding three months.

Exclusive
jurisdiction.

Second: Exclusive original jurisdiction of all civil actions wherein the debt or damages demanded do not exceed twenty dollars, and both parties, or any plaintiff and a person summoned as a trustee, reside in the town of Norway, including prosecutions for penalties in which said town is interested, and of all actions of forcible entry and detainer arising therein; and concurrent jurisdiction with trial justices of all other civil actions within their concurrent jurisdiction.

Original
jurisdiction.

Third: Original jurisdiction, concurrent with the supreme judicial court, of all civil actions in which the debt or damages demanded do not exceed one hundred dollars, and both parties or the defendant and a person summoned as a trustee reside in the county of Oxford. *Provided*, that any action, civil or criminal, in which the judge is interested, but which would otherwise be within the exclusive jurisdiction of said court, may be brought before and disposed of by any trial justice within said county, in the same manner and with like effect as other actions before such tribunals.

—proviso.

Actions involving
title to real estate
shall be removed
to supreme
judicial court.

SECT. 3. Nothing in this act shall be construed to give said court jurisdiction of any civil action in which the title to real estate according to the pleading or brief statement filed therein by either party is in question, and all such actions brought therein, shall be removed to the supreme judicial

court or otherwise disposed of as in like cases before a trial justice.

SECT. 4. Said court shall be held on the first Tuesday of Terms. each month at ten o'clock in the forenoon for the transaction of civil business at such place within said town as the judge shall determine, but the town may at any time provide a court room, in which case the court shall be held therein, and all civil processes shall be made returnable accordingly, and it may be adjourned from time to time by the judge at his discretion; but it shall be in constant session for the cognizance of criminal actions; *provided*, that if said judge is prevented by any cause from attending at the time said court is to be held for civil business, it may be adjourned from day to day by any deputy sheriff or a constable of the town without detriment to any action then returnable or pending until he can attend, when said actions may be entered or disposed of with the same effect as if it were the first day of the term; and it may be so adjourned without day when neces- Adjournment. sary, in which event pending actions shall be considered as continued, and actions then returnable may be returned and entered at the next term with the same effect as if originally made returnable at said term.

SECT. 5. It shall be the duty of the judge of said court to make and keep the records thereof, or cause the same to be made and kept, and to perform all other duties required of similar tribunals in this state; and copies of said records duly certified by said judge shall be legal evidence in all courts.

SECT. 6. Any party may appeal from any judgment or sentence of said court, to the supreme judicial court in the same manner as from a judgment or sentence of a trial justice.

SECT. 7. Writs and processes issued by said court shall be in the usual forms, and shall be served as like precepts are required to be served when issued by trial justices except that writs in which the debt or damages demanded, exceed twenty dollars shall be served at least fourteen days before the sitting of the court at which they are made returnable, and no writ shall be made returnable at a term of the court to begin more than three months after the commencement of the action.

Writs and processes, form and service.

CHAP. 508

Statutes relative to attachments of property and levy of executions, applicable to actions brought in this court.
—proviso.

Actions to be entered on first day of term.

—proceedings.

SECT. 8. All the provisions of the statutes relative to the attachment of real and personal property and the levy of executions, shall be applicable to actions brought in this court and executions on judgments rendered therein; *provided*, that property may be attached in addition to the addamnum, sufficient to satisfy the costs of the suit.

SECT. 9. Actions in said court shall be entered on the first day of the term, and not afterwards, except by special permission. When a defendant, legally summoned, fails to enter his appearance, by himself or his attorney, on the first day of the return term, he shall be defaulted; but if he afterwards appear during the term, the court may, for sufficient cause, permit the default to be taken off. Pleas in abatement must be filed on or before the day of the entry of the action. The defendant may file his pleadings which shall be the general issue with a brief statement of special matters of defense, on the return day of the writ, and must file them on or before the first day of the next term, or he shall be defaulted unless the court, for good cause enlarge the time for which he may impose reasonable terms. Actions in which the defendant files his pleadings on the return day, and are actions of forcible entry and detainer seasonably answered to, shall be in order for trial at the return term, and shall remain so until tried or otherwise disposed of, unless continued by consent or on motion of either party, for good cause, in which latter case the court may impose such terms as he deems reasonable; but all other actions unless defaulted or otherwise finally disposed of shall be continued as of course and be in order for trial at the next term.

Costs and fees to parties, attorneys and witnesses, how regulated.

SECT. 10. The costs and fees allowed to parties, attorneys and witnesses, in all actions in said court in which the debt or damages recovered does not exceed twenty dollars, and in actions of forcible entry and detainer shall be the same as allowed by trial justices in actions before them, except that the plaintiff if he prevail, shall be allowed one dollar for his writ, and the defendant if he prevail, one dollar for his pleadings. But in cases where the amount recovered exceeds twenty dollars, costs and fees of parties, attorneys and witnesses shall be the same as in the supreme judicial

court, except, that the defendant if he prevail, shall be allowed two dollars for his pleadings.

Fees of judge.

SECT. 11. The judge of said court may demand and receive the same fees allowed to trial justices for like services, except that he may demand and receive for a complaint and warrant in criminal cases, one dollar; for the entry of a civil action, fifty cents; for the trial of an issue, civil or criminal, two dollars for the first day and one dollar for each day after the first, occupied in such trial to be paid to him by the plaintiff in civil cases before trial, who shall recover the same as costs if he prevail in the suit, and the fees so received by said judge, shall be payment in full for his services. *Provided*, that the legal voters of said town may, at any time, by vote, determine to pay him a salary which shall be accepted by him instead of said fees in which case, he shall pay all fees of office by him received into the town treasury.

SECT. 12. Trial justices are hereby restricted from exercising any jurisdiction in the town of Norway over any matter or thing, civil or criminal, except such as are within the jurisdiction of justices of the peace and of the quorum, and except cases in which the judge is interested or related and except they may issue warrants on complaints for criminal offenses to be returned before said municipal court, and in case of the absence from the town of Norway or sickness of the judge of said court, and during such sickness or absence, any trial justice residing in said Norway, shall have and exercise in criminal matters the same jurisdiction as though said municipal court had never been established. *Provided*, that said restrictions shall be suspended until the judge of said court shall enter upon the duties of his office.

Jurisdiction of trial justices, restricted.

—proviso.

SECT. 13. Nothing in this act shall be construed to interfere with actions already commenced before trial justices in the town of Norway, but all such actions shall be disposed of by such trial justices the same as if this act had not been passed.

Not to affect pending actions.

SECT. 14. This act shall take effect when approved.

Approved March 5, 1885.

CHAP. 509**Chapter 509.**

An Act to authorize the city of Portland to appoint Commissioners of Cemeteries and Public Grounds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Appointment of
commission of
cemeteries and
public grounds.

SECT. 1. The mayor of the city of Portland is hereby authorized and empowered to appoint, subject to the approval of the board of aldermen, a commission of not less than three persons, to be called the commission of cemeteries and public grounds.

—tenure.

SECT. 2. Said commissioners shall be appointed for one, two, and three years, respectively, at the first appointment under this act; and thereafter one shall be appointed each year, to hold for the term of three years; and in case a vacancy shall occur, it may be filled in the same manner for the unexpired term.

Vacancies, how
filled.

—duties.

SECT. 3. Said commissioners shall have charge and control of all the cemeteries, other than evergreen cemetery, together with the parks, promenades, squares, and other grounds, which are or may hereafter be reserved for ornamental uses, belonging to the city; and under their direction, all appropriations made for said cemeteries and grounds, shall be expended.

SECT. 4. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 510.

An Act to legalize the meetings and doings of school districts in the town of Oldtown.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Meetings of school
districts in Old-
town, legalized.

SECT. 1. All meetings of the several school districts in the town of Oldtown held prior to the passage of this act, called by a written notice signed by any person as school district agent or by the municipal officers of the town, are hereby made and declared to be legal meetings, notwithstanding any error or defect in the mode of giving notice thereof, or any failure to make and return a certificate of the giving of said notice.

SECT. 2. The doings of said several school districts prior to the passage of this act in electing school district agents and district clerks are hereby made and declared valid, and all votes passed at any meeting of any or either of said districts prior to the passage of this act in relation to the voting and raising of money by taxation or otherwise, shall have all such effect and validity as they would have if passed at a legal meeting, notwithstanding any errors or defects in the proceedings for calling, notifying or organizing the meeting at which any such election was held or any such vote passed. No failure on the part of any of the officers so elected, to take the oath prescribed by law shall affect the legality or validity of any acts done by him in his official capacity during the term for which he was elected; and the term of office of each of said officers, shall be taken to have expired upon the election of his successor.

—doings of,
legalized.

SECT. 3. The records of said several school districts made prior to the passage of this act and signed by the person holding the office of district clerk for the time being, are hereby declared and made valid and legal, notwithstanding any informality therein, and they shall be receivable as evidence in relation to the transactions and votes therein recorded.

—records of,
legalized.

SECT. 4. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 511.

An Act to incorporate the Bingham and Moose River Telephone and Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Ira H. Randall, J. Manchester Haynes, S. J. Walton, Alonzo F. Adams, Isaac Newton, George Savage and John Webster, their associates, successors and assigns, are hereby created a body politic, by the name of the Bingham and Moose River Telephone and Telegraph Company, with all the powers, rights and privileges, and subject to all the duties and obligations granted and prescribed by the

Corporators.

Corporate name.

Powers and
privileges.

CHAP. 511

Route.

general laws of this state relating to corporations. Said corporation shall have the right to locate, construct, maintain and operate lines of telephone and telegraph from some point in the town of Bingham, through any intervening town or plantation to the Forks of the Kennebec river, and from thence to Moose River village, or to any intermediate point and from the Forks to some point in the town of Shirley.

Authorized to
construct lines
along any
highway, etc.

SECT. 2. Said company shall have the right, within the limits aforesaid, to locate, construct and maintain its lines upon and along any public way, railroad, bridge, or private lands, but in such manner as not to incommode or endanger the customary use of such way, road or bridge, with the right to cut down trees, remove obstacles when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line.

Damages, how
estimated.

SECT. 3. If the land of any individual or corporation is taken under this act and the parties cannot agree on the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

Authorized to
connect with or
sell or lease to
other lines.

SECT. 4. Said corporation is hereby authorized to connect its line or lines with those of any other company, or to sell or lease its line, either before or after completion, to any other telephone or telegraph company, upon such terms as may be mutually agreed upon, which sale or lease shall be binding upon the parties, or to purchase or lease any other line or lines of telegraph or telephone, upon such terms and conditions as may be mutually agreed upon.

Capital stock.

SECT. 5. The amount of the capital stock shall be fixed by vote of the corporation but not to exceed the amount that may from time to time be considered to be necessary for the purposes herein specified, but not exceeding ten thousand dollars, and said corporation may purchase, hold, sell and convey real estate and personal property necessary for the purposes contemplated in this charter.

First meeting,
how called.

SECT. 6. Any one of the corporators named in this act may call the first meeting of this company, by mailing a written notice to each of the other corporators, seven days at least, before the day of meeting, naming the time, place and purposes of such meeting; and at such meeting a presi-

dent, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

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Officers and
by-laws.

SECT. 7. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 512.

An Act to incorporate the Maine Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. J. R. Bodwell, Fred Atwood, Thomas W. Vose, Edward Swazey, their associates, successors and assigns, are hereby created a body corporate by the name of the Maine Telephone Company, with all the rights and privileges and subject to all the duties provided by the general laws of this state relating to corporations with power by that name to sue and be sued, and to have and use a common seal and the same to change at pleasure, to establish any and all by-laws and regulations for the management of their affairs not repugnant to the laws of this state, and to do and perform any and all other legal and lawful acts incident to similar corporations, and said company shall have the right to locate and construct its lines upon and along any public highway or bridge, or along or upon the line of any railroad, first having obtained consent therefor of the municipal officers of any city or town in which it is proposed to construct said lines, and the consent of the officers of any railroad on which it is proposed to build its line, between the eastern and western boundaries of this state, and is hereby authorized and empowered to carry on the business of providing practical telephonic communication, by usual and proper methods and in the prosecution thereof to locate, construct, maintain and operate acoustic, magnetic and electric telephone lines and appurtenances, and license the use of the same by others and acquire such rights by lease or purchase from others throughout this state, submarine, underground, upon, along and over any and all public highways, bridges and places, in such manner as not to endanger the appropriate public use thereof, railroads, canals, and lands and buildings of any and all in-

Corporators.

Corporate name.

Rights.

Limits.

Powers.

CHAP. 512

dividuals, societies and corporations with, first having obtained consent therefor, as many lines and branches, wires, posts and appurtenances, and terminating at such points and places as said corporation may deem necessary, and to remove trees and other obstacles, except that fruit or ornamental trees shall not be removed or defaced by trimming for said purposes, and to connect by agreement with other telephone lines within and without the state.

Capital stock.

SECT. 2. The capital stock of said company shall be of such an amount as they may, from time to time, determine to be necessary for the exclusive purpose of constructing, maintaining and operating the lines of telephone hereby authorized, and they may purchase, hold and dispose of such personal and real estate as may be necessary for that purpose.

May carry on business in other states.

SECT. 3. This corporation is authorized to exercise its powers, carry on its business, and do all acts pertaining thereto, in any other state or county, upon acquiring therefor all sanction and authority necessary under the laws thereof.

Land damages, how estimated and paid.

SECT. 4. The damages for taking land under this act, when the parties cannot agree, shall be estimated, secured and paid as for land taken for highways.

First meeting, how called.

SECT. 5. Any two of the persons named in this act of incorporation, may call the first meeting of the company by giving notice thereof to each associate.

May use all necessary telegraphic appliances.

SECT. 6. This company may use such telegraphic appliances as may be necessary or convenient for the dispatch of their business.

Company not exempt from acts regulating telephone companies.

SECT. 7. Nothing in this act shall be construed to exempt said company or its charter from the provisions of any acts already existing, or which may hereafter be passed, regulating, amending, restricting or repealing the rights or privileges of telephone companies or the charters thereof.

Approved March 5, 1885.

Chapter 513.

An Act to give the New England Telephone and Telegraph Company certain rights within the State of Maine, and for other purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The sale heretofore made by the National Bell Telephone Company of the state of Maine, a corporation established by chapter two hundred seventy-one of the acts of the year eighteen hundred and eighty, to the New England Telephone and Telegraph Company, a corporation established under the laws of New York, of all its property and property rights, including rights of way, saving and excepting its franchise to be a corporation, is hereby ratified and confirmed.

Sale of the property of National Bell Telephone Co to N E Telephone and Telegraph Co, confirmed.

SECT. 2. Said New England Telephone and Telegraph Company is hereby authorized to construct, maintain and operate its telephone lines throughout the length and breadth of this state, with as many wires and branches as they may see fit, commencing and terminating at such point or points as they may select within the limits aforesaid, and they may purchase, hold and dispose of such personal and real estate as may be deemed necessary for that purpose, and shall have power, by agreement with other persons or bodies corporate, to connect their lines with other telephone companies.

Company authorized to construct lines.

—limits.

SECT. 3. Said corporation shall have the right to erect and construct the posts, piers, abutments and other fixtures necessary to sustain the wires of its lines upon, along and across any public way, road, street or bridge, or along, upon and across the line of any railroad, and in such manner as not to incommode or endanger the customary public use thereof; first having obtained consent of the municipal officers of any city or town where their lines are to be built, or of the officers of any railroad company on which their lines are to be built; and may cut down any trees standing within the limits of any such way, road or street, except ornamental, fruit or shade trees, when necessary for the erection, use or safety of its lines.

—connect wth other lines.

—may erect wires on any public highway or railroad.

—consent of municipal officers necessary.

—may cut down trees.

SECT. 4. The municipal officers of a place in which the said posts, piers, abutments and fixtures are to be erected, shall, on written application, specify where the same may be

Municipal officers may locate, or alter location.

CHAP. 514

located, and after the erection thereof, having first given the company an opportunity to be heard, after five days notice they may direct any alteration in the said location.

May use
telegraphic
appliances.

SECT. 5. Said company may use such telegraphic appliances as may be necessary or convenient for the dispatch of their business.

Company not
exempt from acts
regulating tele-
phone companies

SECT. 6. Nothing in this act shall be construed to exempt said company or its charter from the provisions of any acts already existing or which may hereafter be passed, regulating, amending, restricting or repealing the rights or privileges of telephone companies or the charters thereof.

When act may be
accepted.

SECT. 7. This act may be accepted at any legal meeting of the directors of said corporation, by a majority of the members present, and shall take effect from and after its approval by the governor.

Approved March 5, 1885.

Chapter 514.

An Act to amend "An Act to incorporate the Bath Military and Naval Orphan Asylum."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 163,
private laws of
1866, amended.

SECT. 1. Section one is amended as follows, by striking out all after the word "the," in the eighth line, and the word "and," in the eleventh line, and inserting the words following, namely: 'military or naval service of the United States government on the quota of Maine, during the war for the suppression of the rebellion, and have died subsequently, or who from age, poverty or disease are unable to rear, maintain and educate any of such children,' so that the section, as amended, shall read :

Corporators.

'SECT. 1. John Patten, George F. Patten, Charles Davenport, Oliver Moses, and J. P. Morse, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the trustees of the Bath Military and Naval Orphan Asylum, for the purposes of rearing and educating, gratuitously, in the common branches of learning and ordinary industrial pursuits, the orphans and half-orphans

Corporate name.

—purpose

of officers, soldiers, seamen and marines who have entered the military or naval service of the United States government, on the quota of Maine, during the war for the suppression of the rebellion, and have died subsequently, or who from age, poverty or disease are unable to rear, maintain and educate any of such children, and shall have all the powers and be subject to all the duties and liabilities of like corporations in this state.'

—powers and duties.

Sec. 5 amended.

SECT. 2. Section five is hereby amended, by adding the following: 'The president, clerk and treasurer, shall act as a board of guardians of all the children who are members of said asylum, and shall have all the powers and authority granted by law to guardians, and shall be authorized to bind out, indenture, or give away for adoption, with the consent of their parents, any of the children under their custody, when in their opinion and judgment, it is deemed for the advantage and benefit of said children,' so that said section as amended shall read as follows:

'SECT. 5. The trustees shall annually elect one of their number to be president of the board. They shall appoint a clerk and treasurer, both of whom shall be sworn, and shall hold their offices at the pleasure of the trustees. The clerk shall record all proceedings of the board, and copies of their records certified by him, shall be evidence in all cases in which the originals might be used. The treasurer shall be required to give suitable bond, and to renew the same whenever the trustees shall require. The president, clerk and treasurer shall act as a board of guardians, of all the children who are members of said asylum, and shall have all the powers and authority granted by law to guardians, and shall be authorized to bind out, indenture or give away for adoption, with the consent of their parents, any of the children under their custody, when in their opinion and judgment it is deemed for the advantage and benefit of said children.'

President,
—clerk and treasurer.

Treasurer to give bond.

Board of guardians.

—powers.

Chapter 515.

An Act for the assessment of a State Tax for the year one thousand eight hundred and eighty-five, amounting to the sum of eight hundred eighty-six thousand three hundred ninety-nine dollars and eighteen cents.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

State tax, 1885.

SECTION 1. That each city, town, plantation, or any other place hereinafter named within this state, shall be assessed and pay the several sums with which they respectively stand charged in the following lists; the same being in addition to the poll tax of one cent on each poll, a tax of three and three-fourths mills on the dollar of the present valuation, for the current disbursements of the treasury for the year eighteen hundred and eighty-five, and for the school mill fund established by an act approved February twenty-seven, eighteen hundred and seventy-two, and for the sinking fund established by an act approved March seven, eighteen hundred and sixty-eight.

COUNTY OF ANDROSCOGGIN.

Auburn.....	Nineteen thousand one hundred forty six dollars and twelve cents	\$19,146 12
Durham.....	One thousand five hundred eighty eight dollars and fifty eight cents	1,588 58
East Livermore...	One thousand two hundred ninety three dollars and two cents	1,293 02
Greene.....	One thousand four hundred eighty one dollars and twenty seven cents	1,481 27
Leeds.....	One thousand five hundred sixty one dollars and forty seven cents	1,561 47
Lewiston.....	Thirty five thousand seven hundred thirty eight dollars and sixty six cents	35,738 66
Lisbon.....	Four thousand one hundred ninety dollars and eighty seven cents	4,190 87
Livermore.....	One thousand six hundred nineteen dollars and fourteen cents	1,619 14
Minot.....	Two thousand seven hundred six dollars and seventy nine cents	2,706 79
Poland.....	Three thousand four hundred fifty seven dollars and thirty five cents	3,457 35
Turner.....	Two thousand eight hundred fourteen dollars and eighty cents	2,814 80
Wales.....	Seven hundred forty six dollars and two cents	746 02
Webster.....	One thousand six hundred seventy two dollars and sixty eight cents	1,672 68
	Seventy eight thousand sixteen dollars and seventy seven cents	\$78,016 77

COUNTY OF AROOSTOOK.

Amity.....	One hundred sixty seven dollars and eighty seven cents	\$167 87
Ashland.....	Three hundred forty one dollars and thirty cents	341 30
Benedicts.....	One hundred sixty one dollars and twenty two cents	161 22
Blaine.....	One hundred eighty eight dollars and seventeen cents	188 17
Bridgewater.....	Three hundred eighty nine dollars and thirty one cents	389 31

STATE TAX.

705

COUNTY OF AROOSTOOK—(CONTINUED.)

CHAP. 515

Caribou.....	One thousand two hundred seventy dollars and forty seven cents.....	\$1,370 47
Easton.....	Three hundred thirty three dollars and sixty two cents.....	333 62
Fort Fairfield.....	One thousand seven hundred sixty two dollars and nine cents.....	1,762 09
Fort Kent.....	Two hundred seventy four dollars and ninety three cents.....	274 93
Frenchville.....	Four hundred seven dollars and eighty two cents.....	407 82
Grand Isle.....	Three hundred one dollars and fifty five cts.....	301 55
Haynesville.....	One hundred fifty nine dollars and eighty two cents.....	159 82
Hersey.....	Ninety nine dollars and sixty one cents.....	99 61
Hodgdon.....	Six hundred fifty three dollars and fifty five cents.....	653 55
Houlton.....	Two thousand seven hundred twenty five dollars and eighty six cents.....	2,725 86
Island Falls.....	One hundred seventy seven dollars and sixty three cents.....	177 63
Limestone.....	Two hundred eighty eight dollars and thirty seven cents.....	288 37
Linneus.....	Five hundred sixty nine dollars and forty nine cents.....	569 49
Littleton.....	Four hundred seventy five dollars and thirty five cents.....	475 35
Ladlow.....	Four hundred twelve dollars and twenty eight cents.....	412 28
Madawaska.....	Three hundred forty dollars and fifty five cents.....	340 55
Mapleton.....	One hundred ninety five dollars and five cts.....	195 05
Mars Hill.....	Two hundred sixty nine dollars and eighty four cents.....	269 84
Masardis.....	One hundred fifty nine dollars and sixteen cents.....	159 16
Monticello.....	Five hundred sixty one dollars and sixty five cents.....	561 65
New Limerick.....	Three hundred seventy eight dollars and ninety six cents.....	378 96
Orient.....	One hundred sixty dollars and nine cents.....	160 09
Presque Isle.....	Two thousand one hundred eighteen dollars and forty cents.....	2,118 40
Sherman.....	Three hundred sixty eight dollars and sixty eight cents.....	368 68
Smyrna.....	Two hundred twenty eight dollars and seventy five cents.....	228 75
Van Buren.....	Four hundred twenty dollars and sixty two cents.....	420 62
Washburn.....	Three hundred seventy seven dollars and forty eight cents.....	377 48
Weston.....	One hundred ninety six dollars and sixty five cents.....	196 65
Woodland.....	Two hundred ninety two dollars and fourteen cents.....	292 14
Bancroft plantation.....	One hundred eighty four dollars and eighteen cents.....	184 18
Cary do.....	Seventy six dollars and sixty cents.....	76 60
Castle Hill do.....	One hundred four dollars and forty four cts.....	104 44
Caswell do.....	Sixty five dollars and eighty one cents.....	65 81
Chapman do.....	Forty four dollars and seventy three cents.....	44 73
Crystal do.....	One hundred ninety seven dollars and sixty two cents.....	197 62
Cyr do.....	One hundred six dollars and seven cents.....	106 07
Glenwood do.....	One hundred eight dollars and seventy cents.....	108 70
Hamlin do.....	One hundred forty five dollars and seventy three cents.....	145 73
Macwahoc do.....	Ninety seven dollars and fifty nine cents.....	97 59
Merrill do.....	Fifty eight dollars and eighty nine cents.....	58 89
Moro do.....	One hundred seventy five dollars and forty nine cents.....	175 49
New Sweden do.....	Eighty three dollars and eighty five cents.....	83 85
Oakfield do.....	One hundred fifty five dollars and fifty two cents.....	155 52

COUNTY OF AROOSTOOK—(CONTINUED.)

Oxbow plantation	Seventy one dollars and eighteen cents	\$71 18
Perham do	One hundred seventeen dollars and fifty one cents	117 61
Portage Lake do	Eighty six dollars and sixty one cents	86 61
Reed do	One hundred seventy dollars and seventy cts.	170 70
St. Francis do	Seventy eight dollars and seventy seven cts.	78 77
Silver Ridge do	Sixty three dollars and eleven cents	63 11
Wade do	Thirty eight dollars and thirty six cents	38 36
Wallsgrove do	Eighty three dollars and fifty cents	83 50
Westfield do	One hundred twenty nine dollars and thirty nine cents	129 39
A, R. 5, N. half	Sixty one dollars and eighty seven cents	61 87
A, R. 5, S. half	Twenty eight dollars and eighty cents	28 80
No. 1, R. 4, No. Yarmouth Acad.		
Gt., W. E. L. S.	Eighty two dollars and sixty five cents	82 65
No. 1, R. 5, W. E. L. S.	Eighty two dollars and sixty five cents	82 65
No. 2, R. 4, do	Eighty two dollars and sixty five cents	82 65
No. 3, R. 2, Forkstown, W. E. L. S.	Seventy eight dollars and seventy five cents	78 75
No. 3, R. 3, W. E. L. S.	One hundred twenty three dollars and seventy five cents	123 75
No. 3, R. 4, do	Ninety three dollars and seventy five cents	93 75
No. 4, R. 3, do	One hundred thirty one dollars and twenty five cents	131 25
Cox Patent	Three dollars and seventy five cents	3 75
A, R. 2	Fifty six dollars and twenty five cents	56 25
B, R. 2	One hundred seven dollars and twenty five cents	107 25
C, R. 2	Ninety three dollars and seventy five cents	93 75
D, R. 2	Eighty one dollars and seventy two cents	81 72
E, R. 2	Forty six dollars and seventy two cents	46 72
K, R. 2	Eleven dollars and twenty five cents	11 25
No. 7, R. 3	W. E. L. S. One hundred three dollars and thirty one cents	103 31
No. 7, R. 4	do One hundred forty four dollars and sixty four cents	144 64
No. 7, R. 5	do Eighty two dollars and sixty five cents	82 65
No. 8, R. 3	do Ninety eight dollars and forty nine cents	98 49
No. 8, R. 4	do Eighty two dollars and sixty five cents	82 65
No. 8, R. 5	do Eighty two dollars and sixty five cents	82 65
No. 9, R. 3	do Eighty two dollars and sixty five cents	82 65
No. 9, R. 4, Dyer Brook plantation	W. E. L. S. One hundred three dollars and thirty one cents	103 31
No. 9, R. 4	do Eighty two dollars and sixty five cents	82 65
No. 9, R. 5	do Thirty three dollars and twelve cents	33 12
No. 9, R. 7	do Eighty two dollars and eighty cents	82 80
No. 9, R. 8	do Seventy eight dollars and seventy five cents	78 75
No. 10, R. 3	do Eighty two dollars and sixty five cents	82 65
No. 10, R. 4	do Sixty one dollars and eighty seven cents	61 87
No. 10, R. 6	do One hundred three dollars and thirty nine cents	103 39
No. 10, R. 7	do Eighty two dollars and sixty five cents	82 65
No. 10, R. 8	do One hundred twenty seven dollars and twenty two cents	127 22
No. 11, R. 4	do Forty one dollars and thirty three cents	41 33
No. 11, R. 6	do Sixty dollars and seventy five cents	60 75
No. 11, R. 7	do Eighty two dollars and sixty five cents	82 65
No. 11, R. 8	do Eighty four dollars and sixty cents	84 60
No. 11, R. 9	do Eighty six dollars and twenty five cents	86 25
No. 11, R. 10	do Sixty three dollars and seventy five cents	63 75
No. 11, R. 11	do Eighty two dollars and eighty three cents	82 83
No. 11, R. 12	do Eighty three dollars and thirty one cents	83 31
No. 11, R. 13	do One hundred four dollars and fifteen cents	104 15
No. 11, R. 14	do Eighty two dollars and forty six cents	82 46
No. 11, R. 15	do Sixty seven dollars and seventy three cents	67 73
No. 11, R. 16	do Fifty eight dollars and thirteen cents	58 13
No. 11, R. 17	do Seventy five dollars	75 00
No. 12, R. 5, Sheridan plantation	W. E. L. S. Forty two dollars and sixty cents	42 60
No. 12, R. 6, Nashville plantation	W. E. L. S. Fifty six dollars and twenty five cents	56 25
No. 12, R. 7	do Eighty two dollars and sixty five cents	82 65
No. 12, R. 8	do Eighty five dollars and five cents	85 05

COUNTY OF AROOSTOOK—(CONTINUED.)

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No. 12, R. 9.....	W. E. L. S.	Eighty two dollars and ninety six cents....	\$82 96
No. 12, R. 10.....	do	Sixty three dollars and six cents	63 06
No. 12, R. 11.....	do	Eighty three dollars and fifty cents	83 50
No. 12, R. 12.....	do	Eighty three dollars and sixty two cents ...	83 62
No. 12, R. 13.....	do	Eighty three dollars and one cent	83 01
No. 12, R. 14.....	do	Sixty dollars.....	60 00
No. 12, R. 15.....	do	Seventy four dollars and fifty four cents ...	74 54
No. 12, R. 16.....	do	Eighty two dollars and sixty four cents	82 64
No. 12, R. 17.....	do	Sixty eight dollars and ninety one cents....	68 91
No. 13, R. 5.....	do	Sixty one dollars and eighty seven cents ...	61 87
No. 13, R. 7.....	do	Eighty two dollars and sixty five cents	82 65
No. 13, R. 8.....	do	Eighty four dollars and sixty eight cents....	84 68
No. 13, R. 9.....	do	Eighty two dollars and fifty cents	82 50
No. 13, R. 10.....	do	Fifty two dollars and fifty cents.....	52 50
No. 13, R. 11.....	do	Eighty five dollars and thirty three cents...	85 33
No. 13, R. 12.....	do	Seventy nine dollars and twenty six cents...	79 26
No. 13, R. 13.....	do	Sixty two dollars and fifty one cents..	62 51
No. 13, R. 14.....	do	Sixty seven dollars and fifteen cents.....	67 15
No. 13, R. 15.....	do	Seventy dollars and fifty eight cents.....	70 58
No. 13, R. 16.....	do	Ninety eight dollars and fifty six cents	98 56
No. 14, R. 5.....	do	Forty one dollars and twenty five cents ...	41 25
No. 14, R. 6.....	do	Fifty six dollars and twenty five cents.....	56 25
No. 14, R. 7.....	do	Eighty two dollars and fifty cents	82 50
No. 14, R. 8.....	do	Eighty two dollars and sixty three cents....	82 63
No. 14, R. 9.....	do	Sixty dollars	60 00
No. 14, R. 10.....	do	Fifty six dollars and twenty five cents	56 25
No. 14, R. 11.....	do	Fifty dollars and sixty six cents.....	50 66
No. 14, R. 12.....	do	Eighty seven dollars and thirty three cents	87 33
No. 14, R. 13.....	do	Sixty six dollars and twenty eight cents....	66 28
No. 14, R. 14.....	do	Eighty one dollars and fifty seven cents....	81 57
No. 14, R. 15.....	do	Seventy nine dollars and ninety six cents ...	79 96
No. 14, R. 16.....	do	Fifty five dollars and thirty cents	55 30
No. 15, R. 4, E half, Frysburg Academy, W. E. L. S		Eighty two dollars and fifty cents.....	82 50
No. 15, R. 4, W. half, Frysburg Academy	W. E. L. S	Forty one dollars and thirty two cents	41 32
No. 15, R. 5.....	do	Forty one dollars and twenty five cents	41 25
No. 15, R. 6.....	do	Fifty six dollars and twenty five cents	56 25
No. 15, R. 7.....	do	Fifty two dollars and fifty cents	52 50
No. 15, R. 8.....	do	Eighty five dollars and sixty three cents....	85 63
No. 15, R. 9.....	do	Fifty six dollars and twenty five cents.....	56 25
No. 15, R. 10.....	do	Forty five dollars.....	45 00
No. 15, R. 11.....	do	Forty nine dollars and twenty six cents	49 26
No. 15, R. 12.....	do	Sixty four dollars and forty two cents.....	64 42
No. 15, R. 13.....	do	Eighty two dollars and fifty cents.....	82 50
No. 15, R. 14.....	do	Sixty one dollars and eighty four cents.....	61 84
No. 15, R. 15.....	do	Ninety seven dollars and twenty seven cents	97 27
No. 16, R. 3.....	do	Thirty eight dollars and twenty five cents..	38 25
No. 16, R. 4.....	do	Sixty seven dollars and fifty cents	67 50
No. 16, R. 5.....	do	Forty one dollars and twenty five cents	41 25
No. 16, R. 6.....	do	Thirty seven dollars and fifty cents.....	37 50
No. 16, R. 7, Eagle Lake plantation	W. E. L. S.	Forty one dollars and thirty three cents....	41 33
No. 16, R. 8.....	do	Forty one dollars and twenty five cents	41 25
No. 16, R. 9.....	do	Seventy five dollars.....	75 00
No. 16, R. 10.....	do	Fifty six dollars and twenty five cents	56 25
No. 16, R. 11.....	do	Forty dollars and seventy eight cents.....	40 78
No. 16, R. 12.....	do	Ninety dollars and forty cents.....	90 40
No. 16, R. 13.....	do	Fifty six dollars and twenty five cents.....	56 25
No. 16, R. 14.....	do	Seventy four dollars and eighty six cents....	74 86
No. 17, R. 3.....	do	Forty five dollars.....	45 00
No. 17, R. 4.....	do	Forty eight dollars and seventy five cents..	48 75
No. 17, R. 5.....	do	Seventy six dollars and four cents.....	76 04
No. 17, R. 6, S. half	do	Seventeen dollars and six cents	17 06
No. 17, R. 8, St. John	do	Ninety eight dollars and ninety three cents	98 93
No. 17, R. 10.....	do	Forty six dollars and twenty cents	46 20
No. 17, R. 11.....	do	Forty one dollars and two cents	41 02
No. 17, R. 12.....	do	Sixty one dollars and ninety eight cents....	61 98
No. 17, R. 13.....	do	Sixty four dollars and fifty eight cents....	64 58
No. 17, R. 14.....	do	Forty nine dollars and seventy four cents..	49 74
No. 18, R. 10.....	do	Sixty two dollars and eighty three cents..	62 83
No. 18, R. 11.....	do	Forty one dollars and fifty one cents.....	41 51

COUNTY OF AROOSTOOK—(CONCLUDED.)

No. 18, R. 12.....	W. E. L. S.	Sixty three dollars and forty three cents...	\$63 43
No. 18, R. 13.....	do	Forty eight dollars and eighty seven cents..	48 87
No. 19, R. 11.....	do	Fifty two dollars and fifty cents.....	52 50
No. 19, R. 12.....	do	One hundred forty five dollars and thirty one cents.....	145 31
No. 20, R. 11 and 12, do		Ninety five dollars and twenty five cents..	95 25
Twenty eight thousand four hundred thirty; nine dollars and eighty eight cents			28,439 86

COUNTY OF CUMBERLAND.

Baldwin	One thousand one hundred seventy three dollars and eleven cents	\$1,173 11
Bridgton	Four thousand one hundred forty two dollars and ten cents.	4,142 10
Brunswick	Ten thousand seventy seven dollars and forty nine cents..	10,077 49
Cape Elisabeth.	Seven thousand twenty one dollars and five cents.....	7,021 05
Carco	Nine hundred ninety seven dollars and nine cents.....	997 09
Cumberland	Two thousand ninety dollars and eighty seven cents....	2,090 87
Deering	Nine thousand seven hundred eight dollars and fifty two cents	9,708 52
Falmouth	Two thousand eight hundred eighty nine dollars and thirty three cents	2,889 33
Freeport	Three thousand six hundred seventy seven dollars and eight cents	3,677 08
Gorham	Two thousand one hundred fifty three dollars and two cts.	2,153 02
Gray	Five thousand two hundred forty eight dollars and sixty five cents	5,248 65
Harpwell.....	One thousand eight hundred seventy seven dollars and eighty eight cents.	1,877 88
Harrison	One thousand one hundred eighty seven dollars and seventy eight cents.....	1,187 78
Naples	Nine hundred twelve dollars and sixty two cents.....	912 62
New Gloucester..	Three thousand seventy seven dollars and sixty eight cts.	3,077 68
North Yarmouth.	One thousand three hundred ninety nine dollars and forty three cents	1,399 43
Otisfield	Nine hundred eighty four dollars and seventy four cents.	984 74
Portland	One hundred fourteen thousand two hundred twenty six dollars and seven cents	114,226 07
Pownal	One thousand one hundred forty dollars and fifty six cts..	1,140 56
Raymond	Eight hundred fifty four dollars and eighty nine cents...	854 89
Scarborough	Two thousand nine hundred thirty two dollars and sixty one cents.....	2,932 61
Sebago	Six hundred eighty eight dollars and fifty one cents.....	688 51
Standish	Two thousand three hundred thirty four dollars and seventeen cents.....	2,334 17
Westbrook	Five thousand seven hundred thirty eight dollars and nine cents	5,738 09
Windham	Three thousand eighty one dollars and forty two cents...	3,081 42
Yarmouth.....	Three thousand eight hundred forty dollars and four cts.	3,840 04
One hundred ninety three thousand four hundred fifty four dollars and eighty cents		193,454 80

COUNTY OF FRANKLIN.

Avon	Four hundred eighty six dollars and fifty one cents	\$486 51
Carthage	Four hundred five dollars and sixty three cents..	405 63
Chesterville	One thousand ninety three dollars and sixty two cents	1,093 62
Eustis.....	Two hundred forty four dollars and seventeen cents	244 17
Farmington	Six thousand thirteen dollars and fifty six cents	6,013 56

COUNTY OF FRANKLIN—(CONCLUDED)

CHAP. 515

Freeman	Five hundred twenty seven dollars and twenty nine cents	\$527 29
Industry	Five hundred fifty seven dollars and eighty cents	557 80
Jay	One thousand eight hundred sixteen dollars and ninety nine cents	1,816 99
Kingfield	Four hundred forty seven dollars and eighty three cents	447 83
Madrid	Two hundred sixty three dollars and forty four cents	263 44
New Sharon	One thousand seven hundred sixty nine dollars and eighty two cents	1,769 82
New Vineyard	Seven hundred sixty two dollars and seventy six cents	762 76
Phillips	One thousand six hundred eighty three dollars and forty three cents	1,683 43
Rangeley	Three hundred eighty eight dollars and forty six cents	388 46
Salem	Two hundred twenty five dollars and eighteen cents	225 18
Strong	Eight hundred thirty nine dollars and ninety five cents	839 95
Temple	ix hundred two dollars and forty two cents	602 42
Weid	Eight hundred seventy two dollars and eighty four cents	872 84
Wilton	Two thousand four hundred dollars and two cents	2,400 02
Coplin plantation	One hundred eighteen dollars and fifty two cents	118 52
Dallas plantation	Seventy four dollars and fifty eight cents	74 58
Greenville plantation	Fifty two dollars and four cents	52 04
Letter E do	fifty four dollars and sixty two cents	54 62
Perkins do	Eighty three dollars and two cents	83 02
Rangeley do	sixty one dollars and sixty six cents	61 66
No 4, Washington pl.	Twenty seven dollars and thirty four cents	27 34
No. 2, R. 1, Sandy River plantation	Thirty one dollars and fifty cents	31 50
No. 4, R. 1, B. K. P.	Fifteen dollars and seventy five cents	15 75
No 4, R. 2, do	Sixty one dollars and ninety nine cents	61 99
No 4, R. 3, S. half, B K P.	Eighteen dollars and seventy nve cents	18 75
D, R. 1	Seventy one dollars and twenty five cents	71 25
D Gore	One dollar and twenty cents	1 20
No 3, R. 2, B. K. P.	Forty eight dollars and thirty six cents	48 36
No. 1, R. 2, W. B. K. P.	Thirty six dollars and seventy five cents	36 75
No. 2, R 3, do	Eighty eight dollars and thirteen cents	88 13
No. 3, R 3, do	Seventy five dollars	75 00
No. 2, R. 4, N half, W. B. K. P.	Forty seven dollars and fifty two cents	47 52
No. 2, R 4, S. half, W. B. K. P.	Thirty seven dollars and nineteen cents	37 19
No. 3, R 4, W. B. K. P.	Sixty six dollars and sixty three cents	66 63
No. 1, R. 5, do	Seventy nine dollars and five cents	79 05
No. 3, R. 5, do	Eighty two dollars and sixty five cents	82 65
No. 3, R. 5, do	Eighty four dollars	84 00
No. 1, R. 6, S. half, W. B. K. P.	Thirty two dollars and sixty three cents	32 63
No 1, R. 6, N. half, W. B. K. P.	Twenty two dollars and fifty cents	22 50
No. 2, R. 6, W. B. K. P.	Ninety three dollars and seventy five cents	93 75
No. 3, R. 6, do	Thirty two dollars and thirty five cents	32 35
No. 1, R. 7, do	Thirty seven dollars and eighty seven cents	37 87
No 2, R. 7, do	sixteen dollars and thirteen cents	16 13
No. 1, R. 8, do	One hundred forty three dollars and twenty six cents	143 26
No. 2, R. 8, do	Fourteen dollars and twenty five cents	14 25
Gore N. of Nos 2 & 3, R 6, No. 6, N of Weid, between Phillips and Byron....	Fifteen dollars	15 00
	Thirty three dollars and seventy five cents	33 75
	Twenty three thousand one hundred sixty dollars and seventy one cents	23,160 71

COUNTY OF HANCOCK.

Amherst	Two hundred seventy three dollars and nineteen cents	\$273 19
Aurora	One hundred fifty seven dollars and eighty six cents	157 86
Bluehill	One thousand six hundred ninety dollars and ninety eight cents.	1,690 98
Brooklin	Five hundred thirty six dollars and fifty eight cents	536 58
Brooksville.....	Seven hundred eighty one dollars and thirty five cents	781 35
Bucksport.....	Three thousand nine hundred seventy four dollars and fourteen cents.	3,974 14
Castine.....	One thousand three hundred sixty three dollars and thirty two cents.	1,363 32
Cranberry Isles ..	One hundred ninety six dollars and twenty two cents	196 22
Deer Isle	One thousand four hundred seven dollars and forty seven cents	1,407 47
Dedham.....	Three hundred sixty nine dollars and fifty six cents	369 56
Eastbrook.....	Two hundred thirty nine dollars and forty four cents	239 44
Eden	Two thousand three hundred thirty nine dollars and eighteen cents	2,339 18
Ellsworth	Five thousand four hundred seventy three dollars and fifty one cents	5,473 51
Franklin.....	Six hundred seventy one dollars and twenty two cents	671 22
Gouldsborough ..	Eight hundred forty nine dollars and sixty cents	849 60
Hancock	Six hundred sixty eight dollars and sixty one cents	668 61
Isle au Haut.....	One hundred twenty three dollars and fifty nine cents	123 59
Lamoine	Five hundred fifty eight dollars and ten cents	558 10
Mariaville.....	Three hundred seven dollars and eighty eight cents	307 88
Mount Desert	Six hundred five dollars and forty four cents	605 44
Orland	One thousand three hundred forty eight dollars and seven cents	1,348 07
Otis	One hundred thirty one dollars and ten cents	131 10
Penobscot	Eight hundred eleven dollars and twenty four cents	811 24
Sedgwick	Seven hundred ten dollars and twenty nine cents	710 29
Sullivan.....	Seven hundred twenty seven dollars and ninety nine cents	727 99
Sarry.....	Eight hundred dollars and twenty seven cents	800 27
Tremont	One thousand three hundred sixty dollars and thirty nine cents	1,360 39
Trenton.....	Four hundred twenty one dollars and two cents	421 02
Verona.....	One hundred eighty eight dollars and eighty five cents	188 85
Waltham	Two hundred ninety four dollars and three cents	294 03
Long Island pl.....	Eighty four dollars and three cents	84 03
No. 7 pl.....	Fifty eight dollars and thirty nine cents	58 39
Swan's Island pl.....	One hundred eighty eight dollars and twenty six cents	188 26
No. 2, North Division	Seventy eight dollars	78 00
No. 4, North Division	One hundred twenty three dollars and eighty two cents	123 82
Strip N. of No. 3, N. Div.	Twenty three dollars and fifty three cents	23 53
Strip N. of No. 4, N. Div.	Forty four dollars and twelve cents	44 12
No. 8, South Division	Twenty eight dollars and eighty cents	28 80
No. 9, do	Fourteen dollars and sixty three cents	14 63
No. 10, adj'g Steuben	Thirty seven dollars and fifty cents	37 50
No. 16, Mid. Division	Fifty six dollars and twenty five cents	56 25
No. 21, do	Eighty two dollars and sixty five cents	82 65
No. 22, do	One hundred sixty five dollars and thirty cents	165 30
No. 28, do	Sixty six dollars and twelve cents	66 12
No. 32, do	One hundred twenty nine dollars and eleven cents	129 11
No. 33, do	Ninety three dollars and seventy five cents	93 75
No. 34, do	Ninety three dollars and seventy five cents	93 75
No. 35, do	Ninety three dollars and seventy five cents	93 75
No. 39, do	Eighty two dollars and sixty five cents	82 65
No. 40, do	Eighty two dollars and sixty five cents	82 65
No. 41, do	Fifty six dollars and twenty five cents	56 25
Butter Island.....	Seven dollars and fifty cents	7 50
Eagle Island	Eleven dollars and twenty five cents	11 25
Spruce Head and Bear Island.....	Three dollars and seventy five cents	3 75
Beach Island	One dollar and eighty seven cents	1 87
Hog Island	Two dollars and sixty three cents	2 63
Bradbury's Island ..	Two dollars and sixty three cents	2 63
Pond, near Little Deer Island	One dollar and thirteen cents	1 13

STATE TAX.

711

CHAP. 515

COUNTY OF HANCOCK—(CONCLUDED.)

Western Island...	Sixty six cents.....	\$0 66
Little Spruce Head Island	One dollar and thirteen cents.....	1 13
Marshall's Island	Fifteen dollars	15 00
Pickering's Island.....	Nine dollars and seventy five cents.....	9 75
Old Harbor Island.....	Five dollars and sixty two cents.....	5 62
Thirty one thousand one hundred twenty six dollars and seventy two cents.....		31,126 72

COUNTY OF KENNEBEC.

Albion.....	One thousand three hundred ninety two dollars and eighty three cents.....	\$1,392 83
Augusta.....	Nineteen thousand four hundred one dollars and twenty four cents.....	19,401 24
Belgrade.....	One thousand eight hundred fifty four dollars and fifty three cents.....	1,854 53
Benton	One thousand four hundred fifteen dollars and forty eight cents	1,415 48
Chelsea	Seven hundred seventy seven dollars and six cents	777 06
China	Two thousand one hundred forty six dollars and ninety four cents.....	2,146 94
Clinton	Two thousand two hundred three dollars and eighty three cents	2,203 83
Farmingdale.....	One thousand four hundred fifty six dollars and sixty four cents.....	1,456 64
Fayette	One thousand thirty one dollars and eighty nine cents...	1,031 89
Gardiner.....	Eight thousand nine hundred thirty three dollars and forty four cents	8,933 44
Hallowell.....	Six thousand forty seven dollars and seventy eight cents.	6,047 78
Litchfield	One thousand seven hundred seven dollars and fifty six cents	1,707 56
Manchester	One thousand ninety three dollars and eighty cents.....	1,093 80
Monmouth	Two thousand two hundred eighty eight dollars and sev- enty seven cents	2,288 77
Mt. Vernon	One thousand four hundred seventy eight dollars and thirty eight cents	1,478 38
Oakland.....	Two thousand four hundred eighty three dollars and eighty seven cents.....	2,483 87
Pittston.....	Two thousand five hundred seventeen dollars and eighty three cents	2,517 83
Readfield.....	One thousand eight hundred seventy four dollars and sixty nine cents.....	1,874 69
Rome.....	Four hundred eighty eight dollars and seventy cents	488 70
Sidney.....	Two thousand one hundred seventy eight dollars and forty six cents	2,178 46
Vassalborough...	Four thousand four hundred sixty six dollars and sixty eight cents	4,466 68
Vienna	Six hundred twenty nine dollars and twenty cents	629 20
Waterville	Nine thousand eight hundred seven dollars and twenty eight cents.....	9,807 28
Wayne	One thousand two hundred seventy three dollars and one cent	1,273 01
West Gardiner...	One thousand two hundred twenty two dollars and eighteen cents	1,222 18
Windsor	One thousand one hundred thirty five dollars and sixty two cents	1,135 62
Winslow	One thousand eight hundred ninety one dollars and thirty five cents	1,891 35
Winthrop.....	Four thousand two hundred twenty six dollars and thir- teen cents	4,226 13
Unity plantation.	Fifty two dollars and ninety seven cents	52 97
Eighty seven thousand four hundred seventy eight dollars and fourteen cents.....		87,478 14

STATE TAX.

COUNTY OF KNOX.

Appleton	One thousand two hundred five dollars and eighty six cts.	\$1,205 86
Camden	Six thousand two hundred ninety nine dollars and thirty nine cents	6,299 39
Cushing	Four hundred thirty five dollars and eighteen cents.	435 18
Friendship	Five hundred ninety one dollars and ninety cents.	591 90
Hope	Seven hundred ninety seven dollars and thirty one cents.	797 31
Hurricane Isle...	One hundred fifty two dollars and fifteen cents.	152 15
North Haven ...	Five hundred seventy dollars and sixty four cents.	570 64
Rockland	Eleven thousand eighty nine dollars and fifty cents.	11,089 50
South Thomaston	One thousand two hundred eleven dollars and thirty nine cents	1,211 39
St. George	One thousand nine hundred sixty nine dollars and twelve cents	1,969 12
Thomaston	Eight thousand two hundred sixty five dollars and fifty two cents	8,265 52
Union	Two thousand two hundred forty four dollars and sixty five cents	2,244 65
Vinalhaven	One thousand seven hundred seventy two dollars and twenty six cents.	1,772 26
Warren	Two thousand nine hundred sixty seven dollars and forty six cents.	2,967 46
Washington	One thousand one hundred seven dollars and forty seven cts	1,107 47
Mattineus Isle pl.	Eighty four dollars and fifty eight cents	84 58
Muscle Ridge pl.	One hundred twenty one dollars and seventy five cents.	121 75
	Forty thousand eight hundred eighty six dollars and thirteen cents	40,886 13

COUNTY OF LINCOLN.

Alna ..	Seven hundred seventy five dollars and seventy two cents	\$ 775 72
Boothbay	Two thousand eight hundred ninety five dollars and eighty five cents	2,895 85
Bremen	Seven hundred sixteen dollars and twenty four cents	716 24
Bristol	Two thousand two hundred eighteen dollars and seven cts	2,218 07
Damariscotta ...	Two thousand two hundred twenty three dollars and ninety cents	2,223 90
Dresden	One thousand two hundred twenty eight dollars and twenty six cents	1,228 26
Edgecomb	Seven hundred twelve dollars and fifty six cents	712 56
Jefferson	One thousand seven hundred twenty six dollars and sixty two cents	1,726 62
Newcastle	Three thousand one hundred five dollars and sixty three cents	3,105 63
Nobleborough ...	Nine hundred dollars and fifty five cents	900 55
Somerville	Three hundred ninety nine dollars and eighty five cents	399 85
Southport	Four hundred ninety eight dollars and nine cents.	498 09
Waldoborough....	Four thousand two hundred sixty seven dollars and twenty one cents	4,267 21
Westport	Three hundred seventy eight dollars and sixteen cents.	378 16
Whitefield	One thousand six hundred fifty seven dollars and fifty seven cents.	1,657 57
Wiscasset	One thousand two hundred four dollars and twenty nine cents	1,204 29
Monhegan Isle pl.	Thirty nine dollars and three cents	39 03
	Twenty four thousand nine hundred forty seven dollars and sixty cents	24,947 60

COUNTY OF OXFORD.

Albany	Five hundred twenty three dollars and fifteen cents.....	\$523 15
Andover	Four hundred sixty dollars and fifty four cents.....	460 54
Bethel	Two thousand seven hundred seventy five dollars and sixty seven cents.....	2,775 67
Brownfield	Nine hundred forty nine dollars and fifty five cents.....	949 56
Buckfield	One thousand four hundred ninety four dollars and sixty eight cents.....	1,494 68
Byron	One hundred forty six dollars and eighty four cents.....	146 84
Canton	One thousand three hundred eighty one dollars and fifty seven cents.....	1,381 57
Denmark	One thousand one hundred forty seven dollars and fourteen cents.....	1,147 14
Dixfield	One thousand two hundred three dollars and fifty cents.....	1,203 50
Fryeburg	Two thousand nine hundred ninety dollars and sixty one cents.....	2,990 61
Gilead	Two hundred seventy two dollars and thirty cents.....	272 30
Grafton	Ninety seven dollars and eighteen cents.....	97 18
Greenwood	Five hundred sixty one dollars and nineteen cents.....	561 19
Hanover	Two hundred forty one dollars and thirteen cents.....	241 13
Hartford	One thousand one hundred thirty dollars and ninety four cents.....	1,130 94
Hebron	Seven hundred ten dollars and sixty three cents.....	710 63
Hiram	One thousand four hundred seventy seven dollars and eighty six cents.....	1,477 86
Lovell	One thousand one hundred forty nine dollars and twenty eight cents.....	1,149 28
Mason	One hundred three dollars and eighteen cents.....	103 18
Mexico	Three hundred ninety seven dollars and sixteen cents.....	397 16
Newry	Three hundred forty one dollars and eighteen cents.....	341 18
Norway	Three thousand three hundred forty three dollars and forty four cents.....	3,343 44
Oxford	One thousand eight hundred sixteen dollars and twenty two cents.....	1,816 22
Paris	Three thousand seven hundred two dollars and fifty seven cents.....	3,702 57
Peru	Nine hundred twenty nine dollars and sixteen cents.....	929 16
Porter	One thousand fifty dollars and sixty seven cents.....	1,050 67
Roxbury	Eighty seven dollars and forty three cents.....	87 43
Ramford	One thousand three hundred nineteen dollars and sixty seven cents.....	1,319 67
Stoneham	Two hundred fifty seven dollars and sixty two cents.....	257 62
Stow	Four hundred eighty one dollars and eighty cents.....	481 80
Sumner	One thousand one hundred sixty nine dollars and two cents.....	1,169 02
Sweden	Five hundred ninety five dollars and forty three cents.....	595 43
Upton	One hundred sixty four dollars and seventy five cents.....	164 75
Waterford	One thousand two hundred seventy four dollars and sixty nine cents.....	1,274 69
Woodstock	Seven hundred thirty seven dollars and sixty one cents.....	737 61
Franklin pl.....	Ninety eight dollars and thirty three cents.....	98 33
Lincoln pl.....	Sixty seven dollars and fifty six cents.....	67 56
Milton pl.....	One hundred fifty four dollars and twenty four cents.....	154 24
Fryeburg Acade- my Grant	Thirty dollars.....	30 00
A. R. 1, (Riley pl.)	Seventy dollars and fifty cents.....	70 50
Andover N. Surp.	Thirty four dollars and forty seven cents.....	34 47
Andover W. Surp.	Fifteen dollars.....	15 00
C	Fifty one dollars and ninety five cents.....	51 95
C. Surplus.....	Forty four dollars and ninety nine cents.....	44 99
No. 4, R. 1.....	Sixty one dollars and sixty four cents.....	61 64
No. 5, R. 1.....	One hundred three dollars and ninety two cents.....	103 92
No. 4, R. 2.....	Seventy four dollars and fifty two cents.....	74 52
No. 4, R. 3.....	Fifty eight dollars and fifty one cents.....	58 51
No. 5, R. 3.....	Eighty dollars and thirty nine cents.....	80 39
No. 4, R. 4.....	Eighty one dollars and thirty eight cents.....	81 38
No. 5, R. 4.....	One hundred thirty two dollars and five cents.....	132 05
No. 4, R. 5.....	Twenty five dollars and forty seven cents.....	25 47
No. 5, R. 6.....	Twenty six dollars and sixty eight cents.....	26 68
No. 5, R. 5, S. hf	Thirty six dollars and sixty one cents.....	36 61
No. 5, R. 5, N. hf	Thirty six dollars and sixty one cents.....	36 61
Bechelder's Grant	Thirty seven dollars and fifty cents.....	37 50
Thirty seven thousand eight hundred seven dollars and sixty eight cents.....		37,807 68

COUNTY OF PENOBSCOT.

Alton	Two hundred ninety seven dollars and twenty six cents	\$ 297 26
Argyle	One hundred eighty nine dollars and eighty eight cents	189 88
Bangor	Thirty two thousand eight hundred seven dollars and sixty five cents	32,807 65
Bradford	Nine hundred fifty dollars and twenty nine cents	950 29
Bradley	Four hundred forty eight dollars and fifty eight cents	448 58
Brewer	Two thousand seven hundred sixty four dollars and eighty four cents	2,764 84
Burlington	Three hundred thirty five dollars and eighteen cents	335 18
Carmel	One thousand ninety four dollars and forty six cents	1,094 46
Carroll	Four hundred twenty three dollars and thirty cents	423 30
Charleston	One thousand forty four dollars and ninety nine cents	1,044 99
Chester	One hundred sixty one dollars and thirty two cents	161 32
Clifton	One hundred sixty six dollars and ninety five cents	166 95
Corinna	One thousand five hundred eighty four dollars and ninety eight cents	1,584 98
Corinth	One thousand six hundred fifty dollars and twenty cents	1,650 20
Dexter	Three thousand six hundred eighteen dollars and fifteen cents	3,618 15
Dixmont	One thousand one hundred fifty eight dollars and ninety cents	1,158 90
Eddington	Four hundred eighty five dollars and two cents	485 02
Edinburg	Sixty six dollars and sixty four cents	66 64
Enfield	Two hundred forty two dollars and seventeen cents	242 17
Etna	Six hundred ten dollars and forty four cents	610 44
Exeter	One thousand six hundred one dollars and sixty two cents	1,601 62
Garland	One thousand two hundred forty seven dollars and twenty seven cents	1,247 27
Glenburn	Five hundred twenty one dollars and sixty two cents	521 62
Greenbush	Three hundred forty six dollars and sixty eight cents	346 68
Greenfield	One hundred sixty nine dollars and forty five cents	169 45
Hampden	Two thousand five hundred forty two dollars and thirty seven cents	2,542 37
Herman	One thousand five hundred three dollars and sixty nine cents	1,503 69
Holden	Six hundred fifty seven dollars and five cents	657 05
Howland	One hundred fourteen dollars and twenty cents	114 20
Hudson	Three hundred fifty three dollars and sixty two cents	353 62
Kenduskeag	Six hundred eighty three dollars and thirty cents	683 30
Kingman	Two hundred eighty four dollars and sixty one cents	284 61
Lagrange	Seven hundred sixty one dollars and ninety cents	761 90
Lee	Four hundred fourteen dollars and fifty two cents	414 52
Levant	One thousand sixty dollars and eighty five cents	1,060 85
Lincoln	One thousand three hundred seventy four dollars and thirty five cents	1,374 35
Lowell	Two hundred forty six dollars and forty three cents	246 43
Mattamiscontis	Forty eight dollars and forty four cents	48 44
Mattawamkeag	Two hundred ninety two dollars and eighty five cents	292 85
Maxfield	Sixty six dollars and seventeen cents	66 17
Medway	Three hundred dollars and twenty cents	300 20
Milford	Six hundred fifty six dollars and eighty cents	656 80
Mt. Chase	One hundred six dollars and nine cents	106 09
Newburg	One thousand thirty four dollars and sixty seven cts.	1,034 67
Newport	One thousand four hundred twenty two dollars and ten cents	1,422 10
Oldtown	One thousand nine hundred eighty five dollars and forty cents	1,985 40
Orono	One thousand nine hundred twenty seven dollars and ninety two cents	1,927 92
Orrington	One thousand five hundred twenty six dollars and sixty one cents	1,526 61
Passadumkeag	One hundred sixty dollars and seventy six cents	160 76
Patten	Seven hundred forty five dollars and seventy seven cents	745 77
Plymouth	Six hundred eighty nine dollars and one cent	689 01
Prentiss	Two hundred fifty five dollars and twenty four cents	255 24
Springfield	Three hundred ninety six dollars and fifty nine cents	396 59

COUNTY OF PENOBSCOT—(CONCLUDED.)

Statson	Eight hundred twenty four dollars and ninety two cents	\$ 824 92
Feasie	Four hundred fifty seven dollars and fifteen cents....	457 15
Winn	Three hundred eighty nine dollars and forty one cents	389 41
Drew plantation	One hundred twenty five dollars and twenty one cents	125 21
Lakeville plantation..	One hundred eighty two dollars and sixty two cents..	182 62
No. 2, Grand Falls pl.	Eighty nine dollars and fifty six cents.....	89 56
Stacyville plantation..	Seventy six dollars and eighty one cents	76 81
Webster do	One hundred thirty five dollars and sixty eight cents	135 68
Woodville do	One hundred twenty dollars and twenty six cents....	120 26
No. 3, R. 1, N. B. P. P	Ninety seven dollars and fifty four cents.....	97 54
No. 5, R. 1, do	Forty one dollars and thirty two cents	41 32
No. 2, R. 8, N. W. P.	Forty seven dollars and twenty five cents.....	47 25
No. 3, R. 8, E. half N. W. P.	Fourteen dollars and forty four cents.....	14 44
No. 3, R. 8, W. half N. W. P.	Fourteen dollars and forty four cents.....	14 44
No. 2, R. 9, N. W. P	Fifty one dollars and seventy five cents	51 75
No. 3, R. 9, do	Forty two dollars.....	42 00
No. 1, R. 6, W. E. L. S	Eighty eight dollars and twelve cents	88 12
No. 2, R. 6, do	One hundred eighty seven dollars and fifty cents	187 50
No. 6, R. 6, do	Eighty two dollars and sixty five cents.....	82 65
No. 7, R. 6, do	Eighty eight dollars and fifty seven cents	88 57
No. 8, R. 6, do	Eighty two dollars and eighty cents	82 80
A, R. 7, do	Fifty eight dollars and thirteen cents.....	58 13
No. 1, R. 7, do	Eighty nine dollars and three cents.....	89 03
No. 2, R. 7, do	Sixty dollars.....	60 00
No. 3, R. 7, S. pt. do	Forty four dollars and twenty two cents	44 22
No. 3, R. 7, W. pt. do	Fifty six dollars and twenty five cents	56 25
No. 4, R. 7, do	Sixty one dollars and eighty seven cents	61 87
No. 5, R. 7, do	Forty one dollars and twenty five cents	41 25
No. 6, R. 7, do	Twenty five dollars and thirty one cents.....	25 31
No. 7, R. 7, do	Sixty two dollars and six cents	62 06
No. 8, R. 7, W. ½ do	Forty six dollars and eighty seven cents.....	46 87
No. 8, R. 7, S. W. ½ do	Thirteen dollars and thirteen cents	13 13
No. 8, R. 7, S. E. ½ do	Twenty four dollars and thirty seven cents	24 37
East Hopkins Academy	Forty one dollars and sixty three cents.....	41 63
West do do	Thirty one dollars and twenty cents.....	31 20
No. 8, R. 8, W. E. L. S.	Forty eight dollars and seventy five cents.....	48 75
A, R. 8 & 9	Eighty four dollars and thirty eight cents.....	84 38
No. 3, Indian Purchase	Ninety one dollars and fifty cents	91 50
No. 4, do do	Seventy eight dollars.....	78 00
No. 1, R. 8, W. E. L. S	Sixty one dollars and eighty seven cents.....	61 87
No. 2, R. 8, S. half W. E. L. S.....	Forty one dollars and twenty five cents	41 25
No. 2, R. 8, N. half W. E. L. S.....	Twenty six dollars and twenty five cents.....	26 25
No. 3, R. 8, E. half W. E. L. S.....	Twenty four dollars and seventy five cents	24 75
No. 3, R. 8, W. half W. E. L. S.....	Twenty dollars and eighty one cents.....	20 81
No. 4, R. 8, W. E. L. S	Sixty six dollars	66 00
No. 5, R. 8, do	Eighty two dollars and sixty five cents.....	82 65
No. 6, R. 8, do	Sixty one dollars and eighty eight cents.....	61 88
No. 7, R. 8, do	Eighty dollars and sixty three cents	80 63
No. 1, North Division	Fifty six dollars and twenty five cents.....	56 25
	Eighty thousand three hundred nineteen dollars and sixty four cents	80,319 64

COUNTY OF PISCATAQUIS.

Abbot.....	Six hundred fifty six dollars and eighty four cents.	\$656 84
Atkinson.....	Six hundred eighty dollars and twenty eight cents.	680 28
Blanchard.....	One hundred fourteen dollars and fifty five cents...	114 55
Brownville.....	Seven hundred ninety eight dollars and eighty cts	798 80
Dover.....	Two thousand one hundred sixty dollars and fifty six cents	2,160 56
Foxcroft.....	One thousand four hundred eighty two dollars and ninety cents	1,482 90
Greenville.....	Three hundred forty three dollars and twelve cents	343 12
Guilford.....	Nine hundred fifty three dollars and thirty one cts	953 31
Kingsbury.....	Eighty seven dollars and sixty three cents.....	87 63
Medford.....	One hundred ninety nine dollars and twenty one cts	199 21
Milo.....	Seven hundred sixty five dollars and twenty five cents	765 25
Monson.....	Six hundred dollars and ninety six cents.	690 96
Orneville.....	Two hundred seventy seven dollars and sixty six cents.	277 66
Parkman.....	Nine hundred thirty seven dollars and thirty nine cents	937 39
Sangerville.....	One thousand ninety six dollars and fifty cents	1,096 50
Sebec.....	Six hundred seventy seven dollars and four cents..	677 04
Shirley.....	One hundred ninety one dollars and seventy four cts	191 74
Wellington.....	Four hundred thirty nine dollars and thirty three cents	439 33
Williamsburg.....	One hundred six dollars and fifty three cents	106 53
Willimantic.....	One hundred eighty seven dollars and fifty cents..	187 50
No. 4, R. 8, N. W. P.	Sixty one dollars and ninety nine cents	61 99
No. 6, R. 8, (formerly Barnard).....	One hundred seven dollars and eighty two cents.	107 82
No. 7, R. 8, (formerly Bowerbank).....	Ninety three dollars and seventy five cents.....	93 75
No. 4, R. 9, N. W. P.	Forty one dollars and thirty two cents	41 32
No. 5, R. 9, N. W. P.	Eighty two dollars and sixty five cents	82 65
No. 6, R. 9, N. W. P.	One hundred eighty seven dollars and fifty cents..	187 50
No. 7, R. 9, N. W. P.	Fifty seven dollars and eighty six cents.	57 86
No. 8, R. 9, Elliotville..	Forty one dollars and thirty two cents	41 32
No. 9, R. 9, N. W. P.	Twenty two dollars and fifty cents.	22 50
No. 3, R. 5, B. P.	Ninety two dollars and sixty three cents	92 63
No. 2, R. 6, B. P.	Ninety two dollars and sixty three cents	92 63
No. 1, R. 9, W. E. L. S.	Forty nine dollars and fifty nine cents	49 59
No. 2, R. 9, do	Sixty six dollars and twelve cents	66 12
No. 3, R. 9, do	Thirty seven dollars and fifty cents	37 50
No. 4, R. 9, do	Eighty two dollars and sixty five cents.	82 65
No. 5, R. 9, do	Eighty two dollars and fifty seven cents.	82 57
No. 6, R. 9, do	One hundred twelve dollars and fifty cents	112 50
No. 7, R. 9, E. $\frac{1}{2}$ do	Forty one dollars and twenty four cents.	41 24
No. 7, R. 9, W. $\frac{1}{2}$ do	Forty one dollars and twenty four cents.	41 24
No. 8, R. 9, do	Thirty two dollars and ninety nine cents	32 99
No. 9, R. 9, do	Forty nine dollars and forty three cents.	49 43
No. 10, R. 9, do	Eighty six dollars and forty three cents.	86 43
A, R. 10, do	Eighty two dollars and sixty five cents	82 65
B, R. 10, do	Nineteen dollars and thirteen cents	19 13
No. 1, R. 10, do	Eighty two dollars and sixty five cents	82 65
No. 2, R. 10, do	Eighty two dollars and sixty five cents.	82 65
No. 3, R. 10, do	Eighty two dollars and sixty five cents.	82 65
No. 4, R. 10, do	Eighty two dollars and sixty five cents.	82 65
No. 5, R. 10, E. $\frac{1}{2}$ do	Forty five dollars.	45 00
No. 5, R. 10, N. W. $\frac{1}{2}$, W. E. L. S.	Twenty one dollars and forty nine cents.	21 49
No. 5, R. 10, S. W. $\frac{1}{2}$, W. E. L. S.	Nineteen dollars and ninety one cents.	19 91
No. 6, R. 10, do	Eighty five dollars and twenty four cents.	85 24
No. 7, R. 10, do	Sixty one dollars and eighty eight cents	61 88
No. 8, R. 10, do	Fifty one dollars and twenty one cents	51 21
No. 9, R. 10, do	Fifty one dollars and seventy two cents.	51 72
No. 10, R. 10, do	Fifty one dollars and nine cents.	51 09
A, R. 11, do	One hundred twenty three dollars and ninety seven cents	123 97
B, R. 11, do	One hundred seven dollars and seventy six cents..	107 76
No. 1, R. 11, do	Eighty two dollars and sixty five cents	82 65
No. 2, R. 11, do	Sixty one dollars and ninety eight cents	61 98
No. 3, R. 11, do	Eighty two dollars and sixty five cents	82 65
No. 4, R. 11, do	Ninety one dollars and twenty two cents.	91 22

STATE TAX.

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COUNTY OF PISCATAQUIS—(CONCLUDED.)

CHAP. 515

No. 5, R. 11, W. E. L. S.	Eighty six dollars and twenty five cents.....	\$ 86 25
No. 6, R. 11, do	One hundred twenty one dollars and twelve cents..	121 12
No. 7, R. 11, do	Eighty five dollars and fifty one cents	85 51
No. 8, R. 11, do	Eighty three dollars and twenty two cents	83 22
No. 9, R. 11, do	Eighty three dollars and twenty five cents	83 25
No. 10, R. 11, do	Eighty five dollars and thirty five cents	85 35
Bowdoin College, East..	Eighty two dollars and sixty five cents	82 65
Bowdoin College, West..	Eighty two dollars and sixty five cents	82 65
A, R. 12, W. E. L. S.	One hundred eighty five dollars and sixty eight cents	185 68
No. 1, R. 12, N. 3, do	One hundred fifteen dollars and twenty cents.....	115 20
No. 1, R. 12, S. 1, do	Fifty seven dollars and sixty cents	57 60
No. 2, R. 12, do	Eighty two dollars and sixty five cents	82 65
No. 3, R. 12, E. 1, do	Thirty one dollars and fourteen cents	31 14
No. 3, R. 12, W. 1, do	Thirty one dollars and fourteen cents	31 14
No. 4, R. 12, E. 1, do	Forty one dollars and fifty five cents	41 55
No. 4, R. 12, W. 1, do	Forty two dollars and sixty six cents	42 66
No. 5, R. 12, do	One hundred nine dollars and thirty nine cents....	109 39
No. 6, R. 12, do	Eighty four dollars and fifty seven cents	84 57
No. 7, R. 12, do	Eighty seven dollars and one cent	87 01
No. 8, R. 12, do	Eighty two dollars and ninety six cents	82 96
No. 9, R. 12, do	Eighty dollars and nineteen cents	80 19
No. 10, R. 12, do	Eighty two dollars and forty six cents	82 46
A, R. 13, do	Ninety three dollars and seventy five cents	93 75
A, R. 13 and 14, do	Sixty seven dollars and twenty two cents	67 22
No. 1, R. 13, W. E. L. S.	Eighty two dollars and sixty five cents	82 65
No. 2, R. 13, do	Seventy one dollars and thirty three cents	71 33
No. 3, R. 13, do	Seventy four dollars and sixty cents	74 60
No. 4, R. 13, 1, do	Five dollars and twenty five cents	5 25
No. 4, R. 13, S. 1, do	Twenty two dollars and seventy eight cents	22 78
No. 4, R. 13, N. 1, do	Ten dollars and one cent	10 01
No. 5, R. 13, do pt.,	Thirteen dollars and fifty cents	13 50
No. 5, R. 13, do pt.,	Thirty dollars	30 00
No. 5, R. 13, do pt.,	Two dollars and sixty two cents	2 62
No. 6, R. 13, do	Eighty two dollars and twenty three cents	82 23
No. 7, R. 13, do	Sixty one dollars and eight cents	61 08
No. 8, R. 13, do	Fifty two dollars and fifty cents	52 50
No. 9, R. 13, do	Fifty six dollars and twenty five cents	56 25
No. 10, R. 13, do	Forty one dollars and seventy two cents	41 72
A, R. 14, 1, do	One hundred nineteen dollars and twenty cents....	119 20
A, R. 14, 1, do		
Shaw and Bradstreet..	Seventeen dollars and three cents	17 03
No. 1, R. 14 and X, R. 14, W. E. L. S.	Ninety five dollars and eighty two cents	95 82
No. 3, R. 14 and 15, E. 1, W. E. L. S.	Sixty seven dollars and twenty three cents	67 23
No. 3, R. 14 and 15, W. 1, W. E. L. S.	Forty three dollars and fifty six cents	43 56
No. 4, R. 14, W. E. L. S.	Seventy one dollars and twenty five cents	71 25
No. 5, R. 14, do	Seventy one dollars and twenty five cents	71 25
No. 6, R. 14, do	Sixty dollars	60 00
No. 7, R. 14, do	Fifty six dollars and twenty five cents	56 25
No. 8, R. 14, do	Forty two dollars and seventy eight cents	42 78
No. 9, R. 14, do	Forty two dollars and twenty nine cents	42 29
No. 10, R. 14, do	Thirty seven dollars and fifty cents	37 50
Sugar Island	Sixty dollars and seventy five cents	60 75
Deer Island	Fifteen dollars	15 00
Middlesex Canal	Eighty two dollars and sixty five cents	82 65
Day's Acad. Grant	Fifty seven dollars and twenty six cents	57 26
No. 4, R. 15	Forty five dollars and sixty two cents	45 62
No. 5, R. 15	Forty eight dollars and seventy five cents	48 75
No. 6, R. 15	Forty two dollars and forty six cents	42 46
No. 7, R. 15, E. 1, do	Thirty three dollars and twelve cents	33 12
No. 7, R. 15, W. 1, do	Twenty one dollars and thirty four cents	21 34
No. 8, R. 15	Thirty four dollars and eight cents	34 08
No. 9, R. 15	Thirty four dollars and forty two cents	34 42
No. 10, R. 15	Thirty three dollars and sixty cents	33 60
Moose Island	Seven dollars and fifty cents	7 50
Kineo	One hundred eighty seven dollars and fifty cents..	187 50
Farm Island	Eleven dollars and twenty five cents	11 25
	Nineteen thousand seven hundred twenty two dollars and seventy seven cents	19,722 77

STATE TAX.

COUNTY OF SAGADAHOC.

Arrowsic.....	Three hundred twenty four dollars and seventy eight cents	\$324 78
Bath	Twenty two thousand one hundred ninety seven dollars and twelve cents	22,197 12
Bowdoin	One thousand four hundred eighty four dollars and thirty two cents	1,484 32
Bowdoinham	Two thousand two hundred ninety three dollars and forty six cents	2,293 46
Georgetown.....	Five hundred fifty seven dollars and nineteen cents	557 19
Perkins	One hundred forty one dollars and twenty six cents	141 26
Phippsburg	One thousand three hundred ninety seven dollars and sixty eight cents	1,397 68
Richmond	Four thousand five hundred eighty six dollars and forty seven cents	4,586 47
Topsham	Three thousand seventy seven dollars and twenty five cents	3,077 25
West Bath.....	Six hundred six dollars and sixty six cents	606 66
Woolwich	Two thousand dollars and nineteen cents	2,000 19
	Thirty eight thousand six hundred sixty six dollars and thirty eight cents	38,666 38

COUNTY OF SOMERSET.

Anson	Two thousand one hundred ninety eight dollars and fifty two cents	\$2,198 52
Athens	One thousand three hundred eighty two dollars and ninety five cents	1,382 95
Bingham	Seven hundred fifty seven dollars and eighty seven cents	757 87
Brighton	Two hundred seventy one dollars and nineteen cents	271 19
Cambridge	Four hundred forty one dollars and thirty cents	441 30
Canaan	One thousand three hundred eighteen dollars and twenty eight cents	1,318 28
Concord.....	Three hundred fifty seven dollars and eighty five cents	357 85
Cornville	One thousand two hundred ninety two dollars and eighty eight cents	1,292 88
Detroit	Four hundred forty dollars and fifty nine cents	440 59
Emden	Six hundred forty three dollars and seventy cents	643 70
Fairfield	Four thousand eight hundred forty dollars and twenty four cents	4,840 24
Harmony	Seven hundred thirteen dollars and eighty two cts.	713 82
Hartland	One thousand three hundred seventy six dollars and twenty eight cents	1,376 28
Lexington.....	Two hundred nineteen dollars and ninety cents	219 90
Madison	Two thousand fifty one dollars and eighty three cts.	2,051 83
Mayfield	Sixty seven dollars and thirty seven cents	67 37
Mercer	Eight hundred nine dollars and thirty three cents	809 33
Moscow	Three hundred fifty eight dollars and eleven cents	358 11
New Portland	One thousand seven hundred fifty two dollars and fifty six cents	1,752 56
Norridgewock	Two thousand one hundred eighty six dollars and thirty four cents	2,186 34
Palmyra	One thousand three hundred forty three dollars and ninety four cents	1,343 94
Pittsfield.....	Two thousand one hundred seven dollars and forty two cents	2,107 42
Ripley.....	Four hundred forty nine dollars and six cents	449 08
St. Albans	One thousand five hundred seventy five dollars and ten cents	1,575 10
Solon	One thousand two hundred ninety seven dollars and fifty seven cents	1,297 57
Skowhegan	Seven thousand seven hundred eleven dollars and ninety six cents	7,711 96

Smithfield.....	Five hundred thirty six dollars and eighty three cents.....	\$ 536 83
Starks	One thousand one hundred seventy three dollars and sixty eight cents.....	1,173 68
Carrying Place plantat'n	Thirty seven dollars and fifty five cents.....	37 55
Dead River plantation ..	Eighty six dollars and forty seven cents.....	86 47
Flag Staff plantation ...	One hundred fifty four dollars and twenty six cents.....	154 26
Highland plantation	Sixty nine dollars and twenty cents.....	69 20
No. 1, R. 2, W. K. R..	Seventy five dollars.....	75 00
No. 2, R. 3, do ..	Seventy five dollars.....	75 00
No. 4, R. 3, N. 1, do ..	Forty dollars and twelve cents.....	40 12
No. 1, R. 4, do ..	Twenty two dollars and fifty cents.....	22 50
No. 2, R. 4, do ..	Sixty six dollars and fifteen cents.....	66 15
No. 3, R. 4, do ..	One hundred twelve dollars and fifty cents.....	112 50
No. 1, R. 5, do ..	One hundred twelve dollars and thirty one cents.....	112 31
No. 2, R. 5, do ..	Eighty three dollars and seventy cents.....	83 70
No. 3, R. 5, do ..	One hundred sixty eight dollars and seventy five cents.....	168 75
No. 4, R. 5, do ..	One hundred twelve dollars and fifty cents.....	112 50
No. 1, R. 6, do ..	Ninety dollars and sixty six cents.....	90 66
No. 2, R. 6, W. K. R.		
K. C. R. part.....	Forty eight dollars and ninety cents.....	48 90
No. 2, R. 6, W. K. R.—		
W. C. R. part.....	Thirty seven dollars and fifty cents.....	37 50
No. 3, R. 6, W. K. R..	One hundred twelve dollars and fifty cents.....	112 50
No. 4, R. 6, do ..	One hundred and fifty dollars.....	150 00
No. 5, R. 6, do ..	Eighty two dollars and sixty five cents.....	82 65
No. 1, R. 7, do ..	One hundred twelve dollars and fifty cents.....	112 50
No. 2, R. 7, do ..	Eighty six dollars and nineteen cents.....	86 19
No. 3, R. 7, do ..	Eighty two dollars and thirteen cents.....	82 13
No. 4, R. 7, do ..	One hundred thirteen dollars and fifty eight cents.....	113 58
No. 5, R. 7, do ..	One hundred eighteen dollars and eight cents.....	118 08
No. 6, R. 7, do ..	Forty nine dollars and eighty seven cents.....	49 87
No. 1, R. 3, B. P. E. K. R.	Ninety three dollars and seventy five cents.....	93 75
No. 2, R. 3, do ..	Ninety three dollars and seventy five cents.....	93 75
No. 1, R. 4, do ..	Eighty two dollars and sixty five cents.....	82 65
No. 2, R. 4, do ..	One hundred and fifty dollars.....	150 00
No. 1, R. 5, do ..	Twenty six dollars and twenty five cents.....	26 25
No. 2, R. 5, do ..	One hundred twenty five dollars and ten cents.....	125 10
No. 1, R. 6, do ..	Forty five dollars.....	45 00
No. 1, R. 1, N. B. K.		
P. T. and R.....	Seventy five dollars.....	75 00
No. 1, R. 1, strip, N. B.		
K. P.....	Nine dollars and thirty eight cents.....	9 38
No. 2, R. 1, N. B. K. P.,		
Sandwich Academy...	Fifty six dollars and twenty five cents.....	56 25
No. 2, R. 1, strip N. B.		
K. P.....	Sixteen dollars and seventy six cents.....	16 76
No. 3, R. 1, N. B. K. P.,		
Long Pond.....	Seventy five dollars and twenty four cents.....	75 24
No. 4, R. 1, N. B. K. P.,		
Jackmantown.....	Eighty two dollars and sixty five cents.....	82 65
No. 5, R. 1, N. B. K. P.,		
Attean Pond.....	Sixty one dollars and ninety nine cents.....	61 99
No. 6, R. 1, N. B. K. P.,		
Holeb.....	One hundred twelve dollars and fifty cents.....	112 50
No. 1, R. 2, N. B. K. P.,		
Tomhegan.....	Ninety three dollars and seventy five cents.....	93 75
No. 2, R. 2, N. B. K. P.,		
Brassua.....	One hundred sixty eight dollars and seventy five cents.....	168 75
No. 3, R. 2, N. B. K. P.,		
Thorndike.....	One hundred three dollars and thirty one cents.....	103 31
No. 4, R. 2, N. B. K. P.,		
Holdentown.....	Ninety seven dollars and thirteen cents.....	97 13
No. 5, R. 2, N. B. K. P.,		
Dennistown.....	Eighty two dollars and sixty five cents.....	82 65
No. 6, R. 2, N. B. K. P.,		
Forsaithtown.....	Eighty two dollars and sixty five cents.....	82 65
Big W, N. B. K. P.	Sixty two dollars and sixty six cents.....	62 66
Little W, do ..	Twenty one dollars and ninety cents.....	21 90

COUNTY OF SOMERSET—(CONCLUDED.)

No. 1, R. 3, N. B. K. P., West Middlesex	Eighty two dollars and sixty five cents	\$ 82 65
No. 2, R. 3, N. B. K. P., Soldiertown	Ninety five dollars and sixty three cents.....	95 63
No. 3, R. 3, E. half N B. K. P.	Forty one dollars and ten cents.	41 10
No. 3, R. 3, W. half N B. K. P.	Forty one dollars and ten cents	41 10
No. 4 R. 3, N. B. K. P., Bald Mountain.....	Twenty dollars and sixty six cents	20 66
No. 5, R. 3, N. B. K. P.,	Eighteen dollars and seventy five cents	18 75
No. 6, R. 3, do	Thirty eight cents	38
Seboomook	One hundred twenty three dollars and ninety seven cents	123 97
No. 1, R. 4, N. B. K. P., Plymouthtown	Sixty seven dollars and fifty cents.	67 50
No. 2, R. 4, N B K. P., Pittston Academy.....	One hundred three dollars and thirteen cents	103 13
No. 3, R. 4, N B K. P., Hammondtown.....	Sixty seven dollars and twenty four cents	67 24
No. 4, R. 4, N. B. K. P	Twenty eight dollars and sixty eight cents	28 68
No. 5, R. 4, do	Six dollars and seventy five cents	6 75
No. 3, R. 5, do	Forty one dollars and thirty two cents.	41 32
No. 4, R. 5, do	Twenty five dollars and sixty nine cents	25 69
No. 4, R. 16, W. E. L. S.	Fifty six dollars and thirty four cents.....	56 34
No. 5, R. 16, E. $\frac{1}{2}$ do	Thirty dollars and forty six cents	30 46
No. 5, R. 16, W. $\frac{1}{2}$ do	Twenty dollars and thirty one cents	20 31
No. 6, R. 16, do	Thirty four dollars and thirty four cents	34 34
No. 7, R. 16, do	Twenty six dollars and seventy one cents.....	26 71
No. 8, R. 16, do	Thirty dollars and thirty four cents.....	30 34
No. 9, R. 16, do	Thirty dollars and ninety seven cents	30 97
No. 10, R. 16, do	Forty one dollars and ninety four cents.....	41 94
No. 4, R. 17, do	Eighty four dollars and twenty four cents.....	84 24
No. 5, R. 17, do	Fifteen dollars and seventy nine cents.....	15 79
No. 6, R. 17, do	Thirty three dollars and seventy two cents.....	33 72
No. 7, R. 17, do	Sixty dollars and two cents	60 02
No. 8, R. 17, do	Thirty seven dollars and fifty six cents.	37 56
No. 9, R. 17, do	Thirty four dollars and ninety four cents.....	34 94
No. 10, R. 17, do	Forty six dollars and eighty eight cents.....	46 88
No. 4, R. 18, do	Thirty three dollars and fifty five cents	33 55
No. 5, R. 18, do	Fifty six dollars and nineteen cents	56 19
No. 6, R. 18, do	Twenty nine dollars and forty one cents.....	29 41
No. 7, R. 18, do	Thirty dollars and sixty cents.....	30 60
No. 8, R. 18, do	Fifteen dollars	15 00
No. 9, R. 18, do	Twenty two dollars and forty three cents.....	22 43
No. 5, R. 19, do	Twenty eight dollars and ten cents.....	28 10
No. 6, R. 19, do	Thirty eight dollars and eighty one cents	38 81
No. 7, R. 19, do	Thirty four dollars and seventy nine cents.....	34 79
No. 8, R. 19, do	Thirty eight dollars and sixty cents	38 60
No. 5, R. 20, do	Thirty seven dollars and forty three cents.....	37 43
	Forty five thousand five hundred seventy dollars and twenty seven cents	45,570 37

COUNTY OF WALDO.

Belfast.	Nine thousand two hundred fifty four dollars and nine cents.....	\$9,254 09
Belmont	Three hundred eighty eight dollars and seventy five cents	388 75
Brooks	Eight hundred sixty two dollars and fifty four cents.....	862 54
Burnham.....	Seven hundred sixty eight dollars and eighteen cents....	768 18
Frankfort	Seven hundred three dollars and forty six cents.....	703 46
Freedom	Six hundred sixty six dollars and fifty seven cents	666 57
Isleborough.....	Five hundred ninety five dollars and fifty two cents.....	595 52
Jackson	Five hundred ninety nine dollars and thirty cents	599 30
Knox	Eight hundred twenty one dollars and ninety three cents	821 93
Liberty	Nine hundred ninety five dollars and ten cents.....	995 10

COUNTY OF WALDO—(CONCLUDED.)

CHAP. 515

Lincolntonville	One thousand five hundred thirty nine dollars and sixty eight cents.....	\$1,539 68
Monroe	One thousand one hundred sixty six dollars and forty three cents.....	1,166 43
Montville	One thousand three hundred sixty three dollars and sixty six cents.....	1,363 66
Morrill	Four hundred fifty nine dollars and twenty six cents....	459 26
Northport.....	Seven hundred thirty eight dollars and thirty three cents	738 33
Palermo	Nine hundred fifty eight dollars and ninety two cents. .	958 92
Prospect.....	Six hundred twenty five dollars and forty five cents . . .	625 45
Searsmont.....	One thousand three hundred seventy five dollars and fifty four cents.....	1,375 54
Searsport	Three thousand nine hundred forty two dollars and fifty eight cents.....	3,942 58
Stockton	One thousand five hundred ten dollars and fifty three cents.....	1,510 53
Swanville	Five hundred twenty dollars and forty seven cents	520 47
Thorndike.....	One thousand fifty one dollars and ninety nine cents.....	1,051 99
Troy	Nine hundred ninety two dollars and twenty cents.....	992 20
Unity	One thousand four hundred fifty one dollars and forty seven cents.....	1,451 47
Waldo	Five hundred fifty two dollars and forty five cents.....	552 45
Winterport.....	Two thousand ninety eight dollars and ten cents	2,098 10
Thirty six thousand two dollars and fifty cents.....		36,002 50

COUNTY OF WASHINGTON.

Addison	One thousand forty nine dollars and fifty cents....	\$1,049 50
Alexander	Two hundred sixty seven dollars and forty four cents..	267 44
Baileyville.....	One hundred ninety nine dollars and sixty four cents.	199 64
Baring	Two hundred eighty six dollars and seventy five cents.....	286 75
Beddington	One hundred twenty two dollars and sixty one cents.	122 61
Brookton	Three hundred eighteen dollars and seven cents...	318 07
Calais	Six thousand five hundred nine dollars and thirty cents.....	6,509 30
Centerville	One hundred fifty one dollars and thirty nine cents	151 39
Charlotte.....	Two hundred twenty seven dollars and three cents	227 03
Cherryfield	One thousand five hundred twenty one dollars and forty one cents	1,521 41
Columbia	Four hundred fifty eight dollars and forty six cents	458 46
Columbia Falls	Six hundred two dollars and forty three cents.....	602 43
Cooper.....	One hundred ninety seven dollars and six cents....	197 06
Crawford.....	One hundred eleven dollars and forty two cents....	111 42
Cutler	Three hundred twenty nine dollars and thirty cents	329 30
Danforth.....	Four hundred two dollars and forty one cents.....	402 41
Deblois	Sixty seven dollars and thirty six cents..	67 36
Donnyville	Six hundred ninety four dollars and twelve cents..	694 12
East Machias	One thousand eight hundred sixty two dollars and twenty two cents.....	1,862 22
Eastport.....	Three thousand three hundred forty dollars and fifty six cents.....	3,340 56
Eaton	Three hundred thirty one dollars and seventy six cents	331 76
Edmunds.....	Two hundred seventy two dollars and twenty one cents	272 21
Harrington	One thousand seventy five dollars and seventy two cents	1,075 72
Jonesborough	Three hundred one dollars and thirty three cents...	301 33
Jonesport	Seven hundred twenty six dollars and twenty seven cents.....	726 27

COUNTY OF WASHINGTON—(CONTINUED.)

Kossuth	One hundred dollars and nineteen cents	\$ 100 19
Lubec	One thousand one hundred seventy dollars and forty seven cents	1,170 47
Machias	Two thousand nine hundred twenty eight dollars and seventy seven cents	2,928 77
Machiasport	Seven hundred twenty dollars and twenty four cts	720 24
Marion	One hundred five dollars and ninety eight cents	105 98
Marshfield	Two hundred thirty five dollars and seventy six cts	235 76
Meddybemps	Ninety seven dollars and forty one cents	97 41
Millbridge	One thousand one hundred forty six dollars and ninety two cents	1,146 92
Northfield	One hundred twenty five dollars and forty three cents	125 43
Pembroke	One thousand five hundred forty dollars and seventy eight cents	1,540 78
Perry	Six hundred fifty dollars and sixty nine cents	650 69
Princeton	Six hundred sixty four dollars and twenty six cents	664 26
Robbinston	Four hundred twenty dollars and eighty three cents	420 83
Steuben	Six hundred ninety seven dollars and three cents	697 03
Talmadge	One hundred ninety four dollars and forty two cents	194 42
Topsfield	Two hundred fifty eight dollars and thirty three cents	258 33
Trescott	One hundred eighty six dollars and forty eight cts	186 48
Vanceborough	Four hundred eighty six dollars and sixty two cts	486 62
Waite	One hundred eighteen dollars and twenty three cents	118 23
Wesley	One hundred fifty six dollars and ninety two cents	156 92
Whiting	Three hundred eight dollars and fifty two cents	308 52
Whitneyville	Two hundred seventy three dollars and sixty nine cents	273 69
Codyville plantation	One hundred sixty four dollars and thirty three cents	164 33
No. 14 plantation	One hundred twenty two dollars and eighty two cents	122 82
No. 21 do	Ninety dollars and eighty five cents	90 85
No. 18, East Division	Thirty dollars	30 00
No. 19, do	Thirty dollars	30 00
No. 26, do	Thirty three dollars and seventy five cents	33 75
No. 27, do	Thirty eight dollars and seventy seven cents	38 77
No. 18, Middle Division	Twenty two dollars and fifty cents	22 50
No. 19, Mid. Div. S.E. ½	Four dollars and thirteen cents	4 13
No. 19, do N. ½ & S.W. ½	Twenty four dollars and nineteen cents	24 19
No. 24, Middle Division	One hundred three dollars and thirty one cents	103 31
No. 25, do	Forty six dollars and eighty seven cents	46 87
No. 29, do	One hundred eleven dollars and fifty eight cents	111 58
No. 30, do	One hundred eleven dollars and fifty eight cents	111 58
No. 31, do	Eighty two dollars and sixty five cents	82 65
No. 36, do	Two hundred forty seven dollars and ninety seven cents	247 97
No. 37, Middle Division	Seventy one dollars and thirty eight cents	71 38
No. 42, do	One hundred thirty eight dollars and seventy five cents	138 75
No. 43, Mid. Div. E. ½	Twenty four dollars and seventy five cents	24 75
No. 43, do W. ½	Thirty six dollars and thirty seven cents	36 37
No. 5, N. Division, N. ½	Sixteen dollars and eighty eight cents	16 88
No. 5, do S. ½	Forty one dollars and thirty three cents	41 33
No. 6, do	Forty six dollars and eighty one cents	46 81
E. ½, strip N. of No. 6, North Division	Twelve dollars and thirty eight cents	12 38
W. ½, strip N. of No. 6, North Division	Seven dollars and eighty eight cents	7 88
Two mile strip N. of No. 5	Fifteen dollars and thirty seven cents	15 37
E. ½, No. 1, R. 1.	Thirty two dollars and thirteen cents	32 13
W. ½, No. 1, R. 1.	Three dollars and thirty eight cents	3 38
No. 3, R. 1.	Three hundred thirty four dollars and ninety one cents	334 91
No. 1, R. 2, No. Division	Sixty one dollars and eighty four cents	61 84
No. 1, R. 3, do	Eighty seven dollars and eight cents	87 08
No. 6, R. 1, do W. ½	Twenty two dollars and twenty cents	22 50
No. 6, R. 1, do E. ½	Fifty six dollars and twenty five cents	56 25
No. 8, R. 3, N. Div.	Eighty two dollars and sixty five cents	82 65
No. 10, R. 3, do	Ninety three dollars and seventy five cents	93 75

STATE TAX.

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COUNTY OF WASHINGTON—(CONCLUDED.)

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No. 11, R. 3.....	Thirty dollars	\$30 00
No. 8, R. 4.....	Forty six dollars and eighty seven cents.....	46 87
E. pt. Indian township, strip one mile wide...	Twelve dollars.....	12 00
	Thirty six thousand five hundred fifty four dollars and thirty cents.....	36,554 30

COUNTY OF YORK.

Acton	One thousand three hundred sixty four dollars and forty five cents	\$1,364 45
Alfred	One thousand five hundred eighty three dollars and sixty five cents	1,583 65
Berwick.....	Two thousand eight hundred eleven dollars and thirty eight cents	2,811 38
Biddeford	Twenty two thousand sixty nine dollars and seventy four cents	22,069 74
Buxton	Two thousand five hundred seven dollars and thirty seven cents	2,507 37
Cornish	One thousand six hundred nine dollars and twelve cents.	1,609 12
Dayton.....	Nine hundred thirty three dollars and sixty four cents ..	933 64
Eliot	One thousand seven hundred thirty seven dollars and twenty six cents	1,737 26
Holla.....	One thousand five hundred seventy four dollars and sixty seven cents	1,574 67
Kennebunk.....	Five thousand two hundred forty one dollars and seventy eight cents	5,241 78
Kennebunkport ..	Three thousand two hundred fifty seven dollars and four cents	3,257 04
Kittery	Two thousand fifteen dollars and twenty nine cents	2,015 29
Lebanon	One thousand five hundred ninety eight dollars and fifteen cents	1,598 15
Limerick.....	One thousand three hundred seventy three dollars and seventeen cents	1,373 17
Limington	One thousand five hundred thirty six dollars and twenty nine cents	1,536 29
Lyman	One thousand four hundred three dollars and ninety three cents	1,403 93
Newfield	Nine hundred ninety four dollars and ninety nine cents..	994 99
North Berwick...	Two thousand three hundred ninety four dollars and fifty one cents	2,394 51
Old Orchard	One thousand four hundred seventy five dollars and sev- enty five cents	1,475 75
Parsonsfield	Two thousand one hundred sixteen dollars and twenty four cents.....	2,116 24
Saco	Eleven thousand three hundred twenty one dollars and eighty three cents	11,321 83
Sanford.....	Two thousand four hundred fifty nine dollars and sixty three cents	2,459 63
Shapleigh	Nine hundred thirty six dollars and twenty cents	936 20
South Berwick...	Three thousand five hundred twenty three dollars and ninety four cents.....	3,523 94
Waterborough ...	One thousand four hundred four dollars and ninety six cents	1,404 36
Wells.....	Two thousand three hundred five dollars and sixty seven cents	2,305 67
York	Two thousand six hundred ninety four dollars and twenty four cents	2,694 24
	Eighty four thousand two hundred forty four dollars and eighty nine cents	84,244 89

RECAPITULATION.

COUNTIES.	AMOUNT	DOLLS. CTS.
Androscoggin..	Seventy eight thousand sixteen dollars and seventy seven cents	\$78,016 77
Aroostock.....	Twenty eight thousand four hundred thirty nine dollars and eighty eight cents	28,439 88
Cum' erland ...	One hundred ninety three thousand four hundred fifty four dollars and eighty cents	193,454 80
Franklin.....	Twenty three thousand one hundred sixty dollars and seventy one cents	23,160 71
Hancock	Thirty one thousand one hundred twenty six dollars and seventy two cents	31,126 73
Kennebec	Eighty seven thousand four hundred seventy eight dollars and fourteen cents	87,478 14
Knox.....	Forty thousand eight hundred eighty six dollars and thirteen cents	40,886 13
Lincoln	Twenty four thousand nine hundred forty seven dollars and sixty cents	24,947 60
Oxford.....	Thirty seven thousand eight hundred seven dollars and sixty eight cents	37,807 68
Penobscot	Eighty thousand three hundred nineteen dollars and sixty four cents	80,319 64
Piscataquis....	Nineteen thousand seven hundred twenty two dollars and seventy seven cents	19,722 77
Sagadahoc.....	Thirty eight thousand six hundred sixty six dollars and thirty eight cents	38,666 38
Somerset.....	Forty five thousand five hundred seventy dollars and twenty seven cents	45,570 27
Waldo.....	Thirty six thousand two dollars and fifty cents	36,002 50
Washington ...	Thirty six thousand five hundred fifty four dollars and thirty cents	36,554 30
York.....	Eighty four thousand two hundred forty four dollars and eighty nine cents	84,244 89
	Eight hundred eighty six thousand three hundred ninety nine dollars and eighteen cents	886,399 18

SECT. 2. The treasurer of this state shall, in the month of April, in the year of our Lord one thousand eight hundred and eighty-five, send his warrant, with a copy of this tax act, directed to the mayor and aldermen, selectmen or assessors of each city, town or plantation taxed as aforesaid, requiring them respectively to assess, in dollars and cents, the sums so charged, according to the provisions of the law for the assessment of taxes, and to add the amount of such tax to the amount of county and town taxes to be by them assessed in each city, town and plantation or other place, respectively.

SECT. 3. The treasurer, in his said warrant, shall require the said mayor and aldermen, selectmen or assessors respectively, to pay or to issue their several warrant or warrants requiring the collectors of their several cities, towns and plantations, to pay the said treasurer on or before the first day of January, one thousand eight hundred and eighty-six, the sums against said cities, towns and plantations, respectively in this act contained, and said mayor, selectmen and assessors respectively, shall return a certificate of the names of such collectors, with the sums which each may be required to collect, to said treasurer, some time

before the first day of December, in the year of our Lord one thousand eight hundred and eighty-five.

SECT. 4. Whenever for the period of sixty days after the time fixed for the payment of this tax, there shall be any delinquency to pay the same on the part of the collector of any city, town or plantation, it shall be the duty of the treasurer of the state to issue his warrant for enforcing the collection of the same against such collector. The warrant shall be directed to the sheriff, or his deputies, of the appropriate county, and made in accordance with the laws already existing on that subject, except that it shall be returned in ninety days from its date, and in addition to the tax itself, it shall require the officer to collect interest thereon at the rate of six per cent yearly, from the day when the tax became payable, with fifty cents more for the warrant and lawful fees of such sheriff, or deputies, arising thereon.

SECT. 5. When any state tax assessed upon any city or town remains unpaid, such city or town is precluded from drawing from the state treasury the school funds set apart from such city or town, so long as such tax remains unpaid.

SECT. 6. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 517.

An Act to revive chapter twenty-one of the Public Laws of eighteen hundred and seventy-eight, relating to rents of Island Shores.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 21, public laws 1878, re-enacted as a private law.

SECT. 1. Chapter twenty-one of the public laws of eighteen hundred and seventy-eight, entitled "An Act to amend section two of chapter two hundred and sixty-seven of the public laws of eighteen hundred and seventy-three, relating to rents of island shores," is hereby re-enacted as a special law, so as to read as follows :

Sec. 2, ch. 267, public laws 1873, amended.

'SECT. 1. Section two of chapter two hundred and sixty-seven of the public laws of eighteen hundred and seventy-three is hereby amended in the third line by striking out the word "thirty," and substituting therefor the word 'ten,' so that the section, so amended, shall read as follows, namely :

Non-payment of rents shall terminate lease.

'SECT. 2. Non-payment of rents upon leases made under the chapter and section mentioned in the first section of this act, for the period of ten days after the same by the terms of the lease become due, shall constitute an absolute termination of the estate the lessee or his assigns have in the leased premises ; and the treasurer shall, from time to time, notify the agent of such forfeiture, who shall immediately take possession of the premises described in said lease, and without notice evict the tenant and again lease said premises in the manner authorized by section one, chapter two hundred and forty-eight, special act of eighteen hundred and sixty-nine.

Agent, when notified by treasurer, to evict tenant and lease premises.

—lessee liable to the state.

The lessee of such forfeited lease shall remain liable to the state upon his covenants therein, notwithstanding the provisions of this section ; but in an action brought thereon the court, on trial or default, may enter up judgment for such sum as they deem equitable.'

—court may enter up judgment.

SECT. 2. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 518.

An Act to incorporate the Maine Life and Accident Insurance Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. John E. DeWitt, Josiah H. Drummond, Percival Bonney, Fred E. Richards, Thomas A. Foster, Marquis F. King, Edward A. Noyes, Henry B. Cleaves and Charles C. Burrill, their associates and successors, are hereby constituted a body corporate by the name of the Maine Life and Accident Insurance Company, and shall have and enjoy all the rights and powers of corporations under the laws of the state, and not inconsistent with such laws.

Corporators.

Corporate name.

Rights and powers.

SECT. 2. The capital stock of said company shall not be less than one hundred thousand dollars nor more than one million of dollars, divided into shares of one hundred dollars each ; and the company shall not commence business until one hundred thousand dollars shall have been paid in, and that amount of such securities as the savings banks are allowed by law to invest in, been deposited with the state treasurer to be held by him under the provisions of sections fifty-seven to sixty-three of chapter forty-nine of the revised statutes.

Capital stock.

—shall deposit guaranty fund with treasurer of state.

SECT. 3. Said company shall have power to insure against accidents of any and all kinds, and make contracts of health and life insurance, and grant birth and burial money, in such manner and on such terms and conditions and for such periods of time, and in such states or countries as shall be, from time to time, ordered and provided by the directors.

Powers.

SECT. 4. Said corporation may provide by its by-laws, who shall be members thereof, the number of votes to which each member may be entitled, the manner of voting by proxy and the number and qualifications of the directors.

Membership and votes.

SECT. 5. The directors shall continue in office during the term for which, under the by-laws, they are chosen and until a new election shall be made ; they shall have power to fill any vacancy in the board, which may happen by death or otherwise, until the next annual election of directors ; five of them shall constitute a quorum for the transaction of business ; they shall fix and determine the rate of premium on all contracts of insurance that the company shall issue, and the

Directors, how chosen.

—vacancies, how filled.

—quorum.

—fix rate of premiums.

CHAP. 519

—adopt rules.

terms and manner of payments thereof; they may adopt rules and regulations for discharging the various functions and transacting the business of the corporation; and they may exercise all the corporate powers of said company, not inconsistent with this charter or the laws of the state.

Officers, how chosen.

SECT. 6. The directors shall have power to choose a president, vice-president, secretary, clerk, and such other officers and agents as they may deem necessary for the transaction of the business of the company, who may or may not be members of the board of directors; they shall prescribe the term of office, the duties and compensation of said officers and agents, and may take such security from them for the faithful discharge of their duties, as they may deem proper.

—tenure.

—compensation.

Funds, how invested.

SECT. 7. The directors shall invest the funds in the name of the company, or in the name of the trustees, whenever they deem it necessary in order to protect the interests of the company and to secure a perfect title to property held as an investment, or as security for investments, and for this purpose the company may grant annuities, and purchase, hold and convey property, real or personal, in any other state or country.

SECT. 8. This act shall take effect when approved.

Approved March 5, 1885.

Chapter 519.

An Act to enable the Bay State Chemical Company to issue bonds and preferred stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Company may issue bonds.

SECT. 1. The Bay State Chemical Company, a corporation organized under the laws of the state, is hereby authorized to make and issue its bonds in such form and manner, and payable at such times as the directors may deem advisable, and it may, by a vote of its directors, secure the principal and interest of said bonds by a mortgage or trust deed of its property, rights, privileges, and franchises, then possessed or owned, or thereafter acquired by said corporation, made to such persons or trustees, and in such form and manner as its directors may approve and prescribe.

—mortgage property.

SECT. 2. Said corporation is hereby authorized to issue preferred stock not exceeding seventy-five thousand dollars in amount. CHAP. 520
—may issue preferred stock.

SECT. 3. This act shall take effect when approved.

Approved March 6, 1886.

Chapter 520.

An Act amendatory of the charter of the Cape Elizabeth Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Moses G. Palmer, Lewis Pierce, Junior, Charles E. Jose, Charles B. Merrill, John E. Palmer of Portland, C. E. Staples, F. H. Harford of Cape Elizabeth, and John M. Robbins of Lewiston, their successors and assigns, are hereby constituted a corporation by the name of Cape Elizabeth Railroad Company, with authority to construct, maintain and use a railroad to be operated by horse or steam power, for the transportation of freight and passengers from a point at or near Knightville or Ferry village in Cape Elizabeth, thence along the coast as near as practicable, and in such manner as shall do no unreasonable damage to private property, to some point in the vicinity of Prouts' neck or Libby's neck, with all the rights and privileges, and subject to all the duties and liabilities of the laws of the state.

Corporators.

Corporate name
Authorized to construct a horse or steam railroad

Route.

Powers and privileges.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be divided into shares of one hundred dollars each, and no share shall be issued for less than its par value.

Capital stock.

SECT. 3. Said corporation shall have power to purchase and hold such real estate as may be necessary or convenient for the purpose of said railroad.

May purchase and hold real estate.

SECT. 4. Said corporation or their directors may, from time to time, determine what parts of their railroad they desire to operate, and at what portions of the year they desire to operate the same; and shall not be holden to operate the whole or any part thereof, for more than six months of the year.

Directors may determine what part of the year road shall be operated.

SECT. 5. Said corporation is hereby authorized to issue bonds for the purpose of constructing its railroad, or for

May issue bonds

CHAP. 521

money which it may borrow for purposes sanctioned by law ; but the bonds so issued shall not exceed the amount of capital stock paid in by the stockholders. Said bonds shall be issued in sums not less than one hundred dollars each, payable in not more than twenty years from their date, with interest payable semi-annually.

Act void unless ten per cent of capital is paid within two years.

SECT. 6. This act shall be void unless the same shall be accepted by said corporation, and ten per cent of the capital stock paid within two years from the date of its approval.

Corporation subject to the legislative power of the state.

SECT. 7. Nothing in this act shall deprive the legislature of the right to amend, alter or repeal said charter, or render said company independent of the general legislative power of the state.

Act void if road, or part thereof, is not completed by March 1, 1887.

SECT. 8. If this railroad and no part thereof shall not be completed on or before the first day of March, in the year of our Lord one thousand eight hundred and eighty-seven, this act shall be null and void.

SECT. 9. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 521.

An Act to authorize the city of Augusta to fund a portion of its indebtedness.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

City of Augusta, authorised to issue bonds.

To meet its bonds now outstanding and maturing in the year one thousand eight hundred and eighty-seven, the city of Augusta is authorized to issue bonds not exceeding two hundred and six thousand two hundred dollars in amount, payable at a period or periods not exceeding thirty years after the date thereof, and bearing interest at a rate not exceeding four per cent per annum, payable semi-annually. Said bonds shall be issued under the seal of the city, and shall be signed by the mayor, and countersigned by the city treasurer.

Approved March 6, 1885.

Chapter 522.

An Act to amend chapter two hundred and twelve of the private and special laws of the year eighteen hundred and eighty, entitled "An Act to incorporate the Artesian Water Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter two hundred and twelve of the private and special laws of eighteen hundred and eighty, is hereby amended by striking out all of said chapter after the word "name" in the fifth line, and inserting instead thereof the following: 'of the Camden and Rockland Water Company, for the purpose of conveying to and supplying the towns of Camden, Thomaston, South Thomaston and the city of Rockland with pure water for domestic and municipal purposes, the extinguishment of fires, supplying of shipping and the use of manufactories.

Ch 312. private
laws of 1880,
amended.

'SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred and fifty thousand dollars.

'SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain, and use the water of Oyster River pond and all streams tributary thereto in the town of Camden; and is also authorized to erect, maintain dams and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

'SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damage to be ascertained in

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the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

'SECT. 5. The capital stock of said corporation shall be fifty thousand dollars, which may be increased to one hundred and fifty thousand dollars by a vote of said corporation, and said stock shall be divided into shares of one hundred dollars each.

'SECT. 6. Said corporation is hereby authorized to lay down in and through the streets and ways in said towns of Camden, Thomaston, South Thomaston and the city of Rockland, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the selectmen of said towns and the mayor and aldermen of said city may impose. And said corporation shall be responsible for all damage to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said towns and city all sums recovered against said towns and city for damages from obstruction or defects in said streets and ways caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

'SECT. 7. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of any town and city through which the pipes of the company may be, or shall hereafter be located, for the purposes of supplying water as contemplated by said act; and the municipal officers of any town or city in which the pipes of this corporation shall be laid, are hereby authorized to enter into contracts for a term of years with said company, for a supply of water, and for such exemption from public burden as the towns and city herein named and said company may agree, which when made shall be legal and binding upon all parties thereto.

'SECT. 8. Said corporation may declare dividends on its capital stock, not exceeding six per cent per annum; if there should be a surplus of receipts or income after paying operating expenses, salaries, repairs and interest on the bonds and notes of the company, said surplus may be applied to

reduction of water rates or to extension and alterations of its pipes and appurtenances.

'SECT. 9. Said corporation shall have power to cross any private or public sewer or to change the direction thereof, when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby. Whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any streets, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

'SECT. 10. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Oyster River pond or any of its tributary streams, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant, or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding one thousand dollars or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

'SECT. 11. Said corporation may issue bonds for construction of its works, upon such rates and time as it may deem expedient, not exceeding the sum of one hundred and fifty thousand dollars and secure the same by mortgage of the franchise and property of said company.

'SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days before the time of meeting.

'SECT. 13. This act shall take effect when approved.'

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So that said chapter as amended shall read as follows :

Corporators.

'SECT. 1. Davis Tillson, Amos F. Crockett, Thomas W. Hix, Michael A. Achorn, William S. White, George W. Kimball Jr. and William H. Glover, with their associates and successors, are incorporated into a body politic by the

Corporate name.

name of the Camden and Rockland Water Company, for the purpose of conveying to and supplying the towns of Camden,

Purposes.

Thomaston and South Thomaston, and the city of Rockland, with pure water for domestic and municipal purposes, the extinguishment of fires, supplying of shipping and uses of manufactories.

May hold real estate.

'SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred and fifty thousand dollars.

—take water from Oyster River pond.

'SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain, and use the water of Oyster River pond and all streams tributary thereto in the

—erect dams, etc.

town of Camden ; and is also authorized to erect, maintain dams and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting,

—take lands.

discharging, distributing and disposing of water and forming proper reservoirs thereof ; and said corporation may take and hold by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

Damages and how ascertained.

'SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts ; and if any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damage to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways.

Capital stock.

'SECT. 5. The capital stock of said corporation shall be fifty thousand dollars, which may be increased to one hundred and fifty thousand dollars by a vote of said corporation, and

said stock shall be divided into shares of one hundred dollars each. CHAP. 522

'SECT. 6. Said corporation is hereby authorized to lay down in and through the streets and ways in said towns of Camden, Thomaston, South Thomaston and the city of Rockland, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the selectmen of said towns and the mayor and aldermen of said city may impose. And said corporation shall be responsible for all damage to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said towns and city all sums recovered against said towns and city for damages from obstruction or defects in said streets and ways caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

Authorized to lay down pipes in streets of Camden and other towns.

—liability for damages.

'SECT. 7. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of any town and city through which the pipes of the company may be, or shall hereafter be located, for the purposes of supplying water as contemplated by said act; and the municipal officers of any town or city in which the pipes of this corporation shall be laid, are hereby authorized to enter into contracts for a term of years with said company, for a supply of water, and for such exemption from public burden as the towns and city herein named and said company may agree, which when made shall be legal and binding upon all parties thereto.

May contract with United States, corporations, towns and cities to supply water.

Municipal officers may contract with, for water and exempt from taxation.

'SECT. 8. Said corporation may declare dividends on its capital stock, not exceeding six per cent per annum; if there should be a surplus of receipts or income after paying operating expenses, salaries, repairs and interest on the bonds and notes of the company, said surplus may be applied to reduction of water rates or to extension and alterations of its pipes and appurtenances.

Dividends not to exceed certain amount.

—surplus to be applied to reduction of water rates.

'SECT. 9. Said corporation shall have power to cross any private or public sewer or to change the direction thereof, when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused

Authorized to cross any private or public sewer.

—liability for damage.

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Public travel not
to be obstructed
in laying down
pipes.

thereby. Whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any streets, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

Penalty for
injuring property
or corrupting
water.

'SECT. 10. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Oyster River pond or any of its tributary streams, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant, or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding one thousand dollars or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

May issue bonds.

'SECT. 11. Said corporation may issue bonds for construction of its works, upon such rates and time as it may deem expedient, not exceeding the sum of one hundred and fifty thousand dollars and secure the same by mortgage of the franchise and property of said company.

First meeting,
how called.

'SECT. 12. The first meeting of said corporation shall be called by a written notice thereof, signed by any three corporators herein named, served upon each corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days before the time of meeting.

'SECT. 13. This act shall take effect when approved.'

Approved March 4, 1865.

Chapter 523.

An Act to incorporate the Chain of Ponds Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Milton G. Shaw, Charles D. Shaw, Albert H. Shaw and William M. Shaw, their associates, successors and assigns are hereby constituted a body corporate by the name of the Chain of Ponds Improvement Company, and as such corporation may make and adopt by-laws not inconsistent with the constitution and laws of this state, and shall be clothed with all the powers, rights and privileges enjoyed and exercised by like corporations.

Corporators.

Corporate name.

Powers and privileges.

SECT. 2. The capital stock of said corporation shall not exceed five thousand dollars, to be divided into shares of one hundred dollars each, par value.

Capital stock.

SECT. 3. Said corporation may erect, purchase, maintain and keep in repair, dams on the north branch of Dead river, at the foot of the Chain of ponds, and at the Horse Shoe pond, and at the Hathorn bog, so called, with right to improve the streams that flow from said ponds. *Provided*, that the dams so erected and improvements so made on the streams shall facilitate the floating of logs and lumber down the same.

May erect dams, and where.

Proviso.

SECT. 4. Said corporation shall be authorized and empowered to assess, levy and collect a toll of twenty cents per thousand feet, at the same scale adopted by the Kennebec and Dead River Log Driving Company, on all logs and lumber put into said north branch of Dead river, above the lower Surrampus falls, so called, or within the flow of the dam at the foot of the Chain of ponds, in township number two, range six, and twenty-five cents per thousand feet, at same scale, for all logs and lumber put into said streams or ponds above the flowing of said dam; and said corporation shall have a lien on said logs to secure the payment of said toll.

Tolls established.

Lien on logs for payment of.

SECT. 5. Said corporation, for the purpose aforesaid, is hereby authorized to take, purchase and hold sufficient land at and adjacent to said dams, necessary to erect and maintain the same, and if the damages cannot be agreed upon between

May take land.

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—damages, how assessed.

Penalty for injuring dams.

First meeting, how called.

Rights of others protected.

the company and the land owners, they are to be assessed by the county commissioners of Franklin county.

SECT. 6. If any person or persons shall wilfully or maliciously injure or destroy said dams, or either of them, he or they shall pay to said corporation, double the cost of repairing the same, to be recovered in an action on the case.

SECT. 7. Any one of the corporators named in this act may call the meeting for organization, by giving seven days' personal notice to each of the others.

SECT. 8. Nothing in this charter shall be construed as altering, changing or limiting the rights of others to the use of the waters for driving purposes. The rights of settlers below said dam shall not be affected by this charter.

SECT. 9. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 524.

An Act to incorporate the Long Pond Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

Corporate name.

Purposes.

May take, etc., water from Long pond.

—lay pipes along highways, rail-roads and bridges.

SECT. 1. John Shoenbar, Charles P. Simpson and Stanislaus Wilson, and such persons as they may associate with themselves in the enterprise, and their successors, are hereby incorporated into a corporation by the name of the Long Pond Water Company, for the purpose of supplying the town of Sullivan in the county of Hancock, and the inhabitants of said town with pure water for industrial, manufacturing, domestic, sanitary and municipal purposes, including extinguishment of fires.

SECT. 2. Said company for said purposes may flow, detain, collect, take, store, use and distribute water from Long Pond in said Sullivan, and may locate, construct and maintain dams, cribs, reservoirs, locks, gates, sluices, aqueducts, pipes, hydrants and all other necessary structures therefor.

SECT. 3. Said company is hereby authorized to lay, construct and maintain in, under, through, along and across the highways, ways, streets, railroads and bridges in said town and to take up, replace and repair all such sluices, aqueducts,

pipes, hydrants and structures as may be necessary for the purposes of their incorporation, under such reasonable restrictions and conditions as the selectmen of said town may impose. And said company shall be responsible for all damages to persons and property occasioned by the use of such highways, ways and streets, and shall further be liable to pay to said town all sums recovered against said town for damages from obstruction caused by said company, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

—liability for damages.

SECT. 4. Said company shall have power to cross any watercourse, private or public sewer, or to change the direction thereof when necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down any fixtures in any highway, way or street; or make any alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements there removed by it to be replaced in proper condition.

Authorised to cross private and public sewers.

—not to obstruct public travel.

SECT. 5. Said company may take and hold any lands necessary for flowage, and also for its dams, reservoirs, locks, gates, hydrants, and other necessary structures, and may locate, lay and maintain sluices, aqueducts, pipes, hydrants and other necessary structures or fixtures in, over and through any lands for its said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations, and shall file in the registry of deeds, for said county of Hancock, plans of such location and lands, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any one line of pipe or aqueduct, and not more than two acres by any one reservoir.

May take and hold lands.

—file plans of location in Hancock registry of deeds.

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Land damages,
how assessed.

SECT. 6. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, taking, holding and construction, the land owner may, within twelve months after said filing of plans of location, apply to the commissioners of said county of Hancock, and cause such damages to be assessed in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of highways so far as such law is consistent with the provisions of this act. If said company shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall be thereby invalid, and said company forfeit all rights under the same as against such land owner. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with said county commissioners in such sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against said company for such taking, holding and occupation until after such failure to pay or deposit as aforesaid.

Damage for
taking water, how
assessed.

SECT. 7. Any person suffering damage by the taking of water by said company as provided by this act may have his damages assessed in the manner provided in the preceding section, and payment therefor shall be made, in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment. All damages suffered by George C. Lyman, or by his legal representatives, in property rights held by him in the waters of said Long pond, under chapter six hundred and ten of the private and special laws of eighteen hundred and fifty-six, or in any other way, are understood to be included in this section and to be assessed under the same.

Damages of G.
C. Lyman, how
assessed.

Authorized to
make contracts
with United
States, corporations
and town of
Sullivan, to supply
water.

SECT. 8. Said corporation is hereby authorized to make contracts with the United States, and with corporations, and inhabitants of said town of Sullivan for the purpose of supplying water as contemplated by this act; and said town

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of Sullivan is hereby authorized by its selectmen to enter into contract with said company for a supply of water, and for such exemption from public burdens as the said town of Sullivan and said company may agree, which, when made shall be legal and binding on all parties thereto.

May contract with town of Sullivan to supply water and for exemption from taxation.

SECT. 9. Whoever shall wilfully or maliciously in any way corrupt the water of said pond or streams or any of the tributaries thereto, whether frozen or not, or shall wilfully or maliciously, in any way, render such waters impure, whether frozen or not, or whoever shall wilfully or maliciously injure any of the works of said company, shall be punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, and shall be liable to said company for three times the actual damage, to be recovered in any proper action.

Penalty for corrupting water.

SECT. 10. The capital stock of said company shall be twenty-five thousand dollars, which may be increased to one hundred thousand dollars by a vote of said company, and said stock shall be divided into shares of one hundred dollars each.

Capital stock.

SECT. 11. Said company for all of its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount one hundred thousand dollars.

May hold real estate.

SECT. 12. Said company may issue its bonds for the construction of its works of any and all kinds upon such rates and time as it may deem expedient, not exceeding the sum of one hundred thousand dollars and secure the same by mortgage of the franchise and property of said company.

—Issue bonds.

SECT. 13. The first meeting of said company may be called by a written notice thereof, signed by any two corporators herein named, upon each corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days before the time of meeting.

First meeting how called.

SECT. 14. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 525.

An Act to incorporate the Presque Isle Village Fire Department.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Limits.

SECT. 1. The territory embraced within the following described limits in the town of Presque Isle, to wit: Commencing on the road leading from Presque Isle village to Houlton at the north line of land of G. M. Park; thence easterly on the south line of land of Charles H. Clark, George F. Whitney, Dudley and Fairfield, and J. H. Lincoln to said Lincoln's east line; thence northerly on the east line of land of said Lincoln, and by Hardy, Judd and Blake to the Aroostook river; thence up the river to the mouth of the Presque Isle stream; thence up the said stream to the west of line of the George A. Parson's farm; thence northerly on the east lines of land owned by J. F. Dyer and John Allen to the farm owned by C. H. Thayer; thence westerly on the north line of land owned by John Allen and the Fairbanks heirs to the old town line between Presque Isle and Maysville and commencing on said line at the northwest corner of land owned by L. S. Judd; thence on the west lines of said Judd and G. H. Freeman to the Presque Isle stream; thence up said stream to the north line of G. M. Park farm; thence easterly on said line to place of beginning; together with the inhabitants thereon, be and the same is

Corporate name. hereby created a body politic and corporate by the name of the Presque Isle Village Fire Department.

Authorized to raise money to maintain fire department.

SECT. 2. Said corporation is hereby invested with power at any legal meeting called for the purpose, to raise money for the purchase, repair and preservation of one or more fire engines, hose and apparatus for the extinguishment of fire, for the procuring of water and for the organizing and maintaining within the limits of said territory an efficient fire department.

Valuation, how taken.

SECT. 3. The money raised by said corporation for the purposes aforesaid shall be assessed upon the property within the said territory by the assessors of said corporation in the same manner as is provided by law for the assessment of state taxes by the then last tax act, excepting the polls shall not be taxed, and said assessors may copy the then last valu-

ation made by the assessors of said town of Presque Isle, so far as it relates to the property within the limits of said corporation, and assess the tax thereon; or, if the corporation shall so direct, may correct said valuation, or make a new valuation, according to the principles of the then last state tax act, and assess the tax on that valuation.

SECT. 4. Upon a certificate being filed with the assessors of said corporation by the clerk thereof of the amount of money raised at any meeting thereof for the purpose aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the estate of persons residing upon the territory aforesaid, and upon the estate of non-resident proprietors thereof, and the assessment so made to certify and deliver to the treasurer or collector of said corporation, whose duty it shall be to collect the same in like manner as state taxes are by law collected by towns, and said corporation shall have the same power to direct the mode of collecting said taxes as towns have in the collection of town taxes.

Assessment, how made.

—collection of.

SECT. 5. The officers of said corporation shall consist of five directors, a clerk, treasurer, collector, three assessors and four or more fire wardens and such other officers as may be provided for in the by-laws of said corporation.

Officers.

SECT. 6. Said officers shall be chosen at the annual March meeting of said corporation and shall hold office for one year, or until others are chosen and qualified in their place. They shall have the general management, supervision and direction of the affairs of said corporation in the exercise of the powers herein granted to said corporation.

—when chosen.

—tenure.

—powers.

SECT. 7. The said corporation at any legal meeting thereof, may adopt a code of by-laws for the government of the same and for the efficient management of the fire department, *provided*, the same are not repugnant to the laws of this state.

May adopt by-laws.

SECT. 8. No person shall be entitled to vote at any meetings of said corporation, who shall not at the time reside within the limits of said corporation, and be qualified at the time to vote in said town.

Qualification of voters.

SECT. 9. Said corporation is authorized to hire money not exceeding two thousand dollars for the corporate purposes of said corporation, and may at any legal meeting called for the

Authorized to hire money.

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purpose, authorize their treasurer to hire any sum, not exceeding two thousand dollars, on such terms as the corporation may direct.

Meeting for
organisation abd
acceptance under
this act, how
called.

Annual meetings
how called.

SECT. 10. The meeting for organization and acceptance under this act shall be called by the selectmen of said town of Presque Isle in the same manner as town meetings are now called and subsequent meetings of said corporation shall be called by the assessors of said corporation annually in the month of March, and at such other times and under such regulations as the by-laws of said corporation may provide, all in the same manner as town meetings are now called by selectmen.

When act shall
take effect.

SECT. 11. This act shall take effect when approved and be in force when said corporation shall organize at any legal meeting called for that purpose.

Approved March 6, 1885.

Chapter 526.

An Act to amend "An Act to amend chapter two hundred and twelve of the Private and Special Laws of the year eighteen hundred and eighty, entitled 'An Act to incorporate the Artesian Water Company.'"

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section thirteen of "an act to amend chapter two hundred and twelve of the private and special laws of the year eighteen hundred and eighty, entitled 'an act to incorporate the Artesian Water Company,'" passed at this session of the legislature and signed by the governor, March four, eighteen hundred and eighty-five, is hereby repealed and said act is hereby declared not to have any force or effect until thirty days after the recess of this legislature, and no acts shall be done thereunder until the expiration of said thirty days.

Sec. 13, ch. 522,
private laws of
1885, repealed.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 527.

An Act to amend chapter eighty of the Special Laws of eighteen hundred and seventy-eight, relating to the throwing of slabs and other refuse into the Kennebec River and its tributaries.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter eighty of the special laws of eighteen hundred and seventy-eight is hereby amended by adding after the last word in said section the following words : 'or by action of debt before any court having competent jurisdiction, to the benefit of the county where the offense was committed,' so that said section, as amended, shall read as follows :

Sec. 2, ch. 80,
special laws of
1878, amended.

'SECT. 2. All the penalties under the provisions of the foregoing sections shall be recovered by complaint or indictment before any court having jurisdiction in like offenses or by action of debt before any court having competent jurisdiction, to the benefit of the county where the offense was committed.'

Penalties, how
recovered.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 528.

An Act to provide in part for the expenditures of Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Act of appropriation.

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year one thousand eight hundred and eighty-five, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized at any time prior to the first day of January next, to draw his warrant on the treasurer for the same :

Maine insane hospital, twenty-eight thousand two hundred seventy-six dollars and forty-four cents,	\$28,276 44
Engrossing clerk and proof reader, four hundred dollars,	400 00
Saint Elizabeth catholic orphan asylum, Portland, four hundred dollars,	400 00
G. W. McAlister, committee on state prison, one hundred fifty-two dollars and thirty cents,	152 30
Alfred E. Nickerson, committee on military affairs, thirty-six dollars and twenty-five cents,	36 25
Elisha E. Parkhurst, committee on agriculture, fifty-seven dollars and twenty cents,	57 20
A. L. Lumbert, committee on agricultural college,	50 00
A. P. Bonney, committee on reform school, twenty-five dollars and seventy-five cents,	25 75
Mitchell Lewy, one hundred dollars,	100 00
Joseph Nicolar, one hundred dollars,	100 00
O. M. Colon, twenty-five dollars,	25 00
C. H. Porter, twenty-five dollars,	25 00
Temporary home for women and children, in Deering, five hundred dollars,	500 00
Books, ordered by the legislature, one hundred dollars,	100 00

Consolidating and indexing acts and resolves for eighteen hundred and eighty-one, eighteen hundred and eighty-three and eighteen hun- dred and eighty-five, per resolve of the legis- lature, one hundred and fifty dollars,	\$ 150 00
Nicholas Fessenden, clerk of the house of repre- sentatives, publishing journal of house, two hundred and fifty dollars,	250 00
Charles W. Tilden, secretary of the senate, pub- lishing journal of senate, two hundred and fifty dollars,	250 00
Maine historical society, one thousand dollars,	1,000 00
Contagious diseases of cattle, fifteen hundred dol- lars,	1,500 00
Contagious diseases of cattle, deficiency, forty- six hundred sixty-eight dollars and thirty- one cents,	4,668 31
Pay roll of council, twelve hundred dollars,	1,200 00
Farmers' institutes, fifteen hundred dollars,	1,500 00
Visiting committee to reform school, four hundred and fifty dollars,	450 00
Furniture and repairs of public buildings, three thousand dollars,	3,000 00
Repairs of public buildings, fire proof vault, two thousand dollars,	2,000 00
Stationery, deficiency, fifteen hundred dollars,	1,500 00
Secretary board of agriculture, six hundred dol- lars,	600 00
Advertising laws, three thousand dollars,	3,000 00
Bounty on animals, four thousand dollars,	4,000 00
Inspectors of steamboats, one thousand dollars,	1,000 00
Military purposes, sixteen thousand dollars,	16,000 00
Support of paupers in unincorporated places, three thousand five hundred dollars,	3,500 00
Children's home, Bangor, one thousand dollars,	1,000 00
Expenses of insurance commissioner, three hun- dred dollars,	300 00
Subordinate officers of state prison, deficiency, five hundred dollars,	500 00
Assistant clerk in library, three hundred and fifty dollars,	350 00

CHAP. 528

Maine central institute, ten thousand dollars,	\$ 10,000 00
Industrial statistics, five hundred dollars,	500 00
Repairs of roads in Indian townships, eight hundred dollars,	800 00
Expenses secretary board of agriculture, three hundred dollars,	300 00
Execution of criminals, eight hundred dollars,	800 00
Entertaining grand army of the republic and others, ten thousand dollars,	10,000 00
Samuel Libbey, committee on education, seventy-one dollars and ten cents,	71 10
Mattanawcook normal academy, three hundred dollars,	300 00
Samuel H. Blake, Llewellyn Powers and Elisha W. Shaw, four hundred dollars,	400 00
State reform school, twenty-six thousand dollars,	26,000 00
Presque Isle academy, one hundred sixty-two dollars and fifty cents,	162 50
Maine general hospital, seventy-five hundred dollars,	7,500 00
Simeon D. Packard, fifty-two dollars and eighty cents,	52 80
B. H. Swift, fifty-two dollars,	52 00
Maine state college, eighty-three hundred and fifty dollars,	8,350 00
Repairs and improvements of buildings and grounds of the three normal schools, twelve hundred dollars,	1,200 00
Maine fertilizer control and agricultural experiment station, five thousand dollars,	5,000 00
Penobscot Indians, eighty-five hundred nineteen dollars and seventy cents,	8,519 70
Passamaquoddy Indians, seven thousand ninety dollars,	7,090 00
Board of health, three thousand dollars,	3,000 00
Deaf, dumb and blind, one thousand dollars,	1,000 00
Library, five hundred dollars,	500 00
Sprague and Son, seven hundred and fifty-nine dollars,	759 00
Free high schools, twenty-six thousand dollars,	26,000 00

States prison, sixty-six hundred dollars,	\$ 6,600 00
Interest on lands reserved for public uses, four hundred dollars,	400 00
Trustees of the Bowerbank school fund, one hundred dollars,	100 00
Town of Wiscasset, one hundred fifty-six dollars and seventeen cents,	156 17
Bridge in town of Frenchville, two hundred dollars,	200 00
Maine state agricultural society, five hundred dollars,	500 00
Eastern Maine state fair, five hundred dollars,	500 00
Dredging and building breakwater at head of Damariscotta lake, four hundred dollars,	400 00
Bridge at Fort Kent, one thousand dollars,	1,000 00
Bridge in Hamlin plantation, two hundred dollars,	200 00
Bath military and naval orphan asylum, nine thousand dollars,	9,000 00
Protection of sea and shore fisheries and shell fish, twenty-five hundred dollars,	2,500 00
Maine industrial school for girls, nine thousand dollars,	9,000 00
Clerk to secretary of board of agriculture, two hundred dollars,	200 00
Binding and stitching, one thousand dollars,	1,000 00
Salaries of fish commissioners, five hundred dollars,	500 00
Maine state year book, eight hundred and twenty-five dollars,	825 00
Assessing state taxes, eighty-five dollars,	85 00
City of Auburn, four hundred seventy dollars and nine cents,	470 09
Bridge across Shin Pond stream in Mount Chase, five hundred dollars,	500 00
Bridge across thoroughfare between North and Grand lakes in town of Orient, one hundred and fifty dollars,	150 00
Pay roll of senate, seventy-six hundred and thirty-two dollars,	7,632 00

CHAP. 528

Pay roll of house of representatives, twenty-nine thousand and sixty-nine dollars,	\$ 29,069 00
Compiling and printing school laws, four hundred dollars,	400 00
Purchase of Maine reports, four hundred dollars,	400 00
Secretary of senate, six hundred eighty-two dollars and thirty-six cents,	682 36
Town of Frankfort, sixty-eight dollars and sixty-four cents,	68 64
Hannah B. Hutchins of Freeport, ninety-six dollars,	96 00
Benjamin Smith of Appleton, twenty-four dollars,	24 00
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Amounting to the sum of two hundred sixty-eight thousand nine hundred eighty-one dollars and sixty-one cents,	268,981 61

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

Chapter 529.

An Act to provide in part for the expenditures of Government for the year one thousand eight hundred and eighty-six.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the year one thousand eight hundred and eighty-six, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized at any time between the first day of January, eighteen hundred and eighty-six, and the first day of January eighteen hundred and eighty-seven, to draw his warrant on the treasury for the same :

Act of appropriation for 1886.

Public debt, fifty-seven thousand dollars,	\$ 57,000 00
Interest on public debt, three hundred and eighteen thousand dollars,	318,000 00
Sinking fund, eighty thousand four hundred and seventy-nine dollars and ninety-five cents,	80,479 95
School fund and mill tax due in eighteen hundred and eighty-six, three hundred and thirty-one thousand dollars,	331,000 00
Due on school fund and mill tax prior to eighteen hundred and eighty-six, twenty thousand dollars,	20,000 00
Free high schools, twenty-six thousand dollars,	26,000 00
Normal schools, nineteen thousand dollars,	19,000 00
Training schools, thirteen hundred dollars,	1,300 00
Teachers' meetings, six hundred dollars,	600 00
Trustees normal schools, six hundred dollars,	600 00
Madawaska school fund, three hundred dollars,	300 00
Madawaska school fund due prior to eighteen hundred and eighty-six, one hundred and fifty dollars,	150 00
Expenses superintendent of common schools, five hundred dollars,	500 00
Houlton academy, one hundred and twenty dollars,	120 00

CHAP. 529	Hebron academy, sixty dollars,	\$ 60 00
	Foxcroft academy, sixty dollars,	60 00
	Lee normal academy, six hundred dollars,	600 00
	Oak Grove seminary, three hundred dollars,	300 00
	Salaries of public officers, sixty thousand dollars,	60,000 00
	Salary of bank examiner, eighteen hundred dollars,	1,800 00
	Salary of fish commissioners, one thousand dollars,	1,000 00
	Salary of pension clerk, one thousand dollars,	1,000 00
	Salary of land agent, eight hundred dollars,	800 00
	Salaries of clerks in secretary of state's office, eighteen hundred dollars,	1,800 00
	Salaries of clerks in treasurer's office, twenty-two hundred dollars,	2,200 00
	Salary of clerk in adjutant general's office, five hundred dollars,	500 00
	Salary of clerk in superintendent of schools' office, seven hundred dollars,	700 00
	Salary of messenger to governor and council, five hundred dollars,	500 00
	Pay roll of council, twenty-eight hundred dollars,	2,800 00
	Contingent fund of governor and council, five thousand dollars,	5,000 00
	Contingent fund of treasurer, five hundred dollars,	500 00
	Contingent fund of secretary of state, three hun- dred dollars,	300 00
	County taxes collected in eighteen hundred and eighty-five, twelve thousand dollars,	12,000 00
	Penobscot Indians, shore rents, forty-five hundred and eighty dollars,	4,580 00
	Agricultural societies, fifty-eight hundred dollars,	5,800 00
	Board of agriculture, four hundred dollars,	400 00
	Farmers' institutes, fifteen hundred dollars,	1,500 00
	Secretary of board of agriculture, six hundred dollars,	600 00
	Military purposes, sixteen thousand dollars,	16,000 00
	Military pensions, two thousand dollars,	2,000 00
	Soldiers' pensions, twenty-one thousand dollars,	21,000 00
	Insane state beneficiaries, forty-three thousand dollars,	43,000 00
	Trustees insane hospital, one thousand dollars,	1,000 00

Visiting committee to insane hospital, three hundred and sixty dollars,	\$ 360 00
Sanford legacy, forty-two dollars,	42 00
Subordinate officers of state prison, eight thousand two hundred dollars,	8,200 00
Sheriffs and coroners, six hundred dollars,	600 00
Costs in criminal prosecutions, one thousand five hundred dollars,	1,500 00
Expenses attorney general's department, four hundred and fifty dollars,	450 00
Inspectors of state prison and jails, twelve hundred dollars,	1,200 00
Reports of judicial decisions, four thousand eight hundred dollars,	4,800 00
Support of paupers in unincorporated places, eight thousand dollars,	8,000 00
Deaf, dumb and blind, fifteen thousand five hundred dollars,	15,500 00
Idiotic and feeble-minded persons, fifteen hundred dollars,	1,500 00
Railroad and telegraph tax due towns for eighteen hundred and eighty-six, twenty-eight thousand dollars,	28,000 00
Balance due towns for railroad tax prior to eighteen hundred and eighty-six, five hundred dollars,	500 00
Library, one thousand dollars,	1,000 00
Assistant clerk in library, three hundred and fifty dollars,	350 00
Expense of insurance commissioner, three hundred dollars,	300 00
Stationery, five thousand dollars,	5,000 00
Binding and stitching, six thousand dollars,	6,000 00
Printing, seventeen thousand dollars,	17,000 00
Postage, two thousand dollars,	2,000 00
Transportation of documents, six hundred dollars,	600 00
Inspectors of steamboats, one thousand dollars,	1,000 00
Lands reserved for public uses, two thousand dollars,	2,000 00
Interest on lands reserved for public uses, two thousand dollars,	2,000 00

CHAP. 529

Forfeited lands, three hundred dollars,	\$ 300 00
Journal of council, one hundred and fifty dollars,	150 00
Indices, one hundred and fifty dollars,	150 00
Fish and game, seventy-five hundred dollars,	7,500 00
Bounty on animals for eighteen hundred and eighty-six, three thousand dollars,	3,000 00
Due for bounty on animals previous to eighteen hundred and eighty-six, one thousand dollars,	1,000 00
St. Elizabeth catholic orphan asylum, Portland, four hundred dollars,	400 00
Visiting committee to reform school, four hundred and fifty dollars,	450 00
Temporary home for women and children in Deering, five hundred dollars,	500 00
Children's home in Bangor, one thousand dollars,	1,000 00
Night watch, fifteen hundred dollars,	1,500 00
Fuel and lights, two thousand dollars,	2,000 00
Furniture and repairs of public building, three thousand dollars,	3,000 00
Firemen and mail carrier, fifteen hundred dollars,	1,500 00
Repairs of roads in Indian townships, five hundred dollars,	500 00
Industrial statistics, five hundred dollars,	500 00
Expenses secretary board of agriculture, three hundred dollars,	300 00
Mattanawcook normal academy, three hundred dollars,	300 00
State reform school, seventeen thousand dollars,	17,000 00
Execution of criminals, eight hundred dollars,	800 00
Maine general hospital, five thousand dollars,	5,000 00
Maine state college, four thousand and fifty dollars,	4,050 00
Repairs and improvements of buildings and grounds of the three normal schools, twelve hundred dollars,	1,200 00
Maine fertilizer control and agricultural experiment station, five thousand dollars,	5,000 00
Penobscot Indians, eighty-four hundred and nineteen dollars and seventy cents,	8,419 70
Passamaquoddy Indians, six thousand seven hundred and ninety dollars,	6,790 00

Board of health, three thousand dollars,	\$ 3,000 00
Contagious diseases of cattle, fifteen hundred dollars,	1,500 00
State prison, eleven hundred dollars,	1,100 00
Salary of fish commissioners, fifteen hundred dollars,	1,500 00
Maine state agricultural society, five hundred dollars,	500 00
Eastern Maine state fair, five hundred dollars,	500 00
Bath military and naval orphan asylum, seventy-five hundred dollars,	7,500 00
Protection of sea and shore fisheries and shell fish, twenty-five hundred dollars,	2,500 00
Maine industrial school for girls, six thousand dollars,	6,000 00
Clerk to secretary board of agriculture, two hundred dollars,	200 00
Salaries of fish commissioners, five hundred dollars,	500 00
Hannah B. Hutchins of Freeport, ninety-six dollars,	96 00
Maine state year book, eleven hundred and twenty-five dollars,	1,125 00
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Amounting to the sum of twelve hundred forty-nine thousand one hundred six dollars and sixty-five cents,	\$1,249,106 65

SECT. 2. This act shall take effect when approved.

Approved March 6, 1885.

RESOLVES

OF THE

STATE OF MAINE.

1885.

RESOLVES
OF THE
STATE OF MAINE.

1885.

Chapter 164.

Resolve in favor of Joseph Nicolar.

Resolved, That there be paid from the state treasury one hundred dollars to Joseph Nicolar, for attendance and travel before the Legislature, as representative of the Penobscot tribe of Indians.

Joseph Nicolar,
in favor of.

Approved February 2, 1885.

Chapter 165.

Resolve in favor of Mitchell Lewy.

Resolved, That there be paid from the state treasury one hundred dollars to Mitchell Lewy, for travel and attendance before the Legislature, as representative of the Passamaquoddy tribe of Indians.

Mitchell Lewy,
in favor of.

Approved February 2, 1885.

Chapter 166.

Resolve in favor of the city of Auburn.

Be it resolved by the Senate and House of Representatives in Legislature assembled, as follows :

Whereas, by a resolve of the Legislature, approved March sixteen, eighteen hundred and seventy, the adjutant general was authorized and directed to convey by a deed of quitclaim

Preamble.

CHAP. 167

the lot of land known as the armory lot, situated on School street, in Auburn, in the county of Androscoggin, to the city of Auburn, subject to the following conditions, viz: that said city of Auburn shall repair the building on said lot and maintain and keep the same in repair for an armory, and when it ceases to do so, the title shall revert to the state.

Preamble.

And, whereas, the adjutant general conveyed said lot as aforesaid to the city of Auburn: *and, whereas*, when said city entered upon said lot to make the repairs and improvements necessary, said lot was found to be too small, and said city purchased a suitable lot and placed said armory thereon and has since maintained it there, to the satisfaction and approval of the adjutant general, therefore,

Adjutant general
authorized to con-
vey lot of land.

Resolved, that the adjutant general be and is hereby authorized and directed, in consideration of one cent, to convey said lot mentioned in the resolve of March sixteen, eighteen hundred and seventy, to the city of Auburn, its successors and assigns, forever, releasing the condition mentioned in said resolve, and making the title of said city in said lot, absolute.

Approved February 2, 1885.

Chapter 167.

Resolve in favor of the joint standing committee on Military Affairs.

A. E. Nickerson,
in favor of.

Resolved, That the treasurer of state is hereby authorized and directed to pay Alfred E. Nickerson, chairman of the joint standing committee on military affairs, the sum of thirty-six dollars and twenty-five cents, the same being for expenses incurred by the committee, visiting the Bath Military and Orphan Asylum.

Approved February 2, 1885.

Chapter 168.

Resolve in favor of the joint standing committee on State Prison.

Resolved, That the state treasurer be directed to pay G. W. McAlister, chairman of the joint standing committee on state prison, one hundred and fifty-two dollars and thirty cents, the same being the amount paid by him for expenses of the joint standing committee on state prison while on its recent visit to that institution, in accordance with the order of the legislature.

G. W. McAlister
in favor of.

Approved February 11, 1885.

Chapter 169.

Resolve in favor of the Maine Insane Hospital.

Resolved, That the sum of twenty-eight thousand two hundred and seventy-six dollars and forty-four cents, be and is hereby appropriated, and shall be expended by the governor and council to meet the liabilities of the trustees of the Maine Insane Hospital, incurred in finishing and furnishing the female pavilion, in finishing and furnishing the male pavilion, which includes the construction of tramway and corridor; also putting in new boiler, resetting old boiler, enlarging boiler house; also in erecting new pumping station at the river.

Insane Hospital
in favor of.

Approved February 11, 1885.

Chapter 170.

Resolve in favor of Saint Elizabeth's Catholic Orphan Asylum of Portland.

Resolved, That the sum of eight hundred dollars be and hereby is appropriated for the benefit of the Saint Elizabeth's Orphan Asylum of Portland, and the support of soldiers' and sailors' orphans therein; of which there shall be paid the sum of four hundred dollars in the year eighteen hundred and eighty-five, and the sum of four hundred dollars in the year eighteen hundred and eighty-six.

St. Elizabeth
Orphan Asylum
in favor of.

Approved February 11, 1885.

CHAP. 171**Chapter 171.**

Resolve in favor of J. Albert Hurd.

J. Albert Hurd,
in favor of.

Resolved, That the land agent be authorized to convey to J. Albert Hurd, all of those parts of lots number one hundred and fifty and one hundred and fifty-three, which lie west of the state road leading through said lots in township F, in range one, west of the east line of the state, waiving further settling duties.

Approved February 11, 1885.

Chapter 172.

Resolve in favor of the committee on Reform School.

A. P. Bonney, in
favor of.

Resolved, That the treasurer of state be directed to pay to A. P. Bonney the sum of twenty-five dollars and seventy-five cents, the same being the amount paid out by him for expenses of the committee on reform school while on its recent visit to that institution in accordance with the order of the legislature.

Approved February 16, 1885.

Chapter 173.

Resolve in favor of the joint standing committee on State College and Mechanic Arts.

A. L. Lumbert, in
favor of.

Resolved, That the state treasurer be directed to pay A. L. Lumbert, chairman of the aforesaid committee, fifty dollars, the same being the amount paid by him for expenses of the said joint standing committee of State College and Mechanic Arts, while on its recent visit to that institution in accordance with the order of the legislature.

Approved February 16, 1885.

Chapter 174.

Resolve in favor of C. H. Porter, Agent of Passamaquoddy tribe of Indians.

Resolved, That the treasurer of state be directed to pay C. H. Porter, agent of Passamaquoddy tribe of Indians, twenty-five dollars, the same being the amount for expenses incurred on a hearing before the committee on Indian affairs in accordance with an order of the legislature.

C. H. Porter, in
favor of.

Approved February 16, 1885.

Chapter 175.

Resolves in relation to restoring Ulysses S. Grant to his rank of General of the Army, on the retired list.

Resolved, That the illustrious services of the exalted citizen soldier, Ulysses S. Grant, should be promptly recognized by the people of this country, and his restoration as general of the army on the retired list, as an act of justice, should be authorized by an act of Congress, without delay.

U. S. Grant in
favor of restoring
to U. S. army.

Resolved, That our senators and representatives in Congress are requested to use their earnest efforts in procuring the legislation therefor recommended, by the President of the United States.

Resolved, That the secretary of state furnish a copy of these resolves to each member of the Maine delegation in Congress.

Approved February 16, 1885.

Chapter 176.

Resolve in favor of O. M. Colon.

Resolved, That the treasurer of state be directed to pay O. M. Colon twenty-five dollars, the same being the amount for expenses incurred at a hearing before the committee on Indian affairs in accordance with an order of the legislature.

O. M. Colon, in
favor of.

Approved February 16, 1885.

CHAP. 177**Chapter 177.**

Resolve in favor of the Temporary Home for Women and Children.

Home for women
and children, in
favor of.

Resolved, That the sum of one thousand dollars be and hereby is appropriated for the use of the temporary home for women and children at Deering, of which five hundred dollars shall be paid during the year eighteen hundred and eighty-five, and five hundred dollars during the year eighteen hundred and eighty-six.

Approved February 16, 1885.

Chapter 178.

Resolve in favor of the joint standing committee on Agriculture.

E. E. Parkhurst,
in favor of.

Resolved, That the state treasurer be directed to pay to Elisha E. Parkhurst, the sum of fifty-seven dollars and twenty cents, the same being the amount paid by him for expenses of the joint standing committee on agriculture, while on its recent visit to the Maine State College of Agriculture and the Mechanic Arts at Orono, in accordance with the order of the legislature.

Approved February 16, 1885.

Chapter 179.

Resolve in aid of the Children's Home at Bangor.

Children's Home,
in favor of.

Resolved, That the sum of two thousand dollars be and hereby is appropriated for the support of soldier's orphans at the Children's Home in Bangor, of which there shall be paid the sum of one thousand dollars during the year eighteen hundred and eighty-five, and one thousand dollars during the year eighteen hundred and eighty-six.

Approved February 19, 1885.

Chapter 180.

Resolve in favor of the Maine Central Institute.

Resolved, That the sum of ten thousand dollars be and hereby is appropriated out of the state treasury for the use of the trustees of the Maine Central Institute as endowment fund to said institution, and they shall safely invest the same, the interest only to be expended annually; said trustees having complied with the provisions of "An Act relating to the Maine Central Institute," approved February twenty-eight, eighteen hundred and eighty-one.

Me. Central
Institute, in favor
of.

Approved February 21, 1885.

Chapter 181.

Resolve making an appropriation for repair of roads in Indian township, Washington county.

Resolved, That the sum of eight hundred dollars be and is hereby appropriated for the year eighteen hundred and eighty-five, and five hundred dollars for the year eighteen hundred and eighty-six, to be expended under the direction of the governor and council upon the Houlton and Baring road and the road leading from said Houlton and Baring road to Grand Lake stream in Indian township, Washington county.

Roads in Indian
township, in favor
of.

Approved February 21, 1885.

Chapter 182.

Resolve in favor of Hannah B. Hutchins of Freeport.

Resolved, That there be paid to Hannah B. Hutchins, of Freeport, a pension of eight dollars a month, commencing on the first day of January, in the year of our Lord, one thousand eight hundred and eighty-five, and continuing two years from said date; *provided*, that said pension shall cease whenever she begins to receive a pension under the laws of the United States.

Hannah B.
Hutchins, in favor
of.

Approved February 24, 1885.

CHAP. 183

Chapter 183.

Resolve authorizing the Governor and Council to assist in entertaining the National Encampment of the Grand Army of the Republic and other distinguished guests.

Grand Army of
Republic, in favor
of entertaining.

Resolved, That the governor and council are hereby authorized to expend a sum not exceeding ten thousand dollars for the purpose of assisting in entertaining the national encampment of the Grand Army of the Republic, the president of the United States, the members of the cabinet, the governors of other states, officers of the army and navy, and other distinguished guests, on the occasion of the visit of the national encampment of the Grand Army of the Republic in this state the ensuing year; *provided, however*, that all vouchers for such expenditures shall be approved by the governor and council, and a report thereof rendered to the next legislature.

proviso.

Approved February 24, 1886.

Chapter 184.

Resolve in favor of the committee on Education.

Samuel Libbey, in
favor of.

Resolved, That the treasurer of state be directed to pay Samuel Libbey, chairman of the committee on education, the sum of seventy-one dollars and ten cents, the same being the amount paid by him for expenses of the committee while on its visits to the normal schools in accordance with the order of the legislature.

Approved February 27, 1886.

Chapter 185.

Resolve authorizing the county of Piscataquis to procure money on loan.

Treasurer of
Piscataquis
County, author-
ized to procure a
loan.

Resolved, That the treasurer of the county of Piscataquis is hereby authorized to procure by loan, on the faith and responsibility of said county, a sum or sums of money not exceeding in all, twelve thousand dollars exclusive of, and in addition to, loans provided for by section seventeen of chapter seventy-eight of the revised statutes, to be expended by and under the direction of the county commissioners of said

county, for the purpose of enlarging, improving and repairing the county court house and the appurtenances thereof, in said county, the interest on said sum or sums to be paid annually, and the principal to be reimbursed by said county at such time or times as the county commissioners may agree upon, but the whole amount to be paid within sixteen years; and the said treasurer is hereby authorized to issue his scrip as county treasurer therefor, with coupons for interest attached, or to issue interest bearing negotiable promissory notes of said county therefor, payable in manner as aforesaid, such scrip and coupons and notes to be signed by the treasurer and countersigned by the chairman of the county commissioners of said county; *provided*, that the whole sum obtained for the purposes herein specified, shall not exceed twelve thousand dollars.

Approved February 27, 1885.

Chapter 186.

Resolve to furnish certain books to the town of Oakland to replace others destroyed by fire.

Resolved, That the secretary of state be directed to furnish to the town of Oakland, a complete set of the Maine reports, and the several digests thereof, so far as the same or any part thereof, can be so furnished, without injury to the state.

Town of Oakland,
in favor of.

Approved February 27, 1885.

Chapter 187.

Resolve in favor of Alvra H Libbey of Lewiston.

Resolved, That there be paid out of the treasury of the state to Alvra H. Libbey of Lewiston, the sum of eight dollars per month as a military pension, during the pleasure of the legislature, commencing January one, eighteen hundred and eighty-five.

Alvra H. Libbey,
in favor of.

Approved February 27, 1885.

CHAP. 188**Chapter 188.**

Resolves authorizing a temporary loan for the year eighteen hundred and eighty-five.

Treasurer of state
authorized to pro-
cure a loan.

Resolved, That to provide for the wants of the treasury, the treasurer of state be, and he hereby is authorized to procure, on the faith of the state, if he shall deem it necessary, at any time during the year eighteen hundred and eighty-five, a temporary loan of three hundred thousand dollars, or so much thereof as may be needed.

Resolved, That the treasurer of state is hereby authorized to give notes in behalf of the state, reimbursable within twelve months from the date hereof, for such portions of the loan hereby authorized, as may be found necessary.

Approved February 27, 1885.

Chapter 189.

Resolves authorizing a temporary loan for the year eighteen hundred and eighty-six.

Treasurer of state,
authorized to pro-
cure a loan.

Resolved, That to provide for the wants of the treasury, the treasurer of state be, and hereby is authorized to procure, on the faith of the state, if he shall deem it necessary, at any time during the year eighteen hundred and eighty-six, a temporary loan of three hundred thousand dollars, or so much thereof as may be needed.

Resolved, That the treasurer of state is hereby authorized to give notes in behalf the state, reimbursable within twenty-four months from the date hereof, for such portions of the loan hereby authorized as may be found necessary.

Approved February 27, 1885.

Chapter 190.

Resolve in favor of Mattanawcook Normal Academy.

Mattanawcook
Academy, in
favor of.

Resolved, That the sum of three hundred dollars is hereby appropriated annually, out of the school fund, for the term of two years, to Mattanawcook Normal Academy, an institution of learning, located in the town of Lincoln, in the county of Penobscot; *provided, however*, that this appropriation is made on the express conditions that the trustees of said insti-

tution shall maintain and keep in operation a school equal in rank and grade of teaching with a first-class academy; and *provided further*, that the governor and council and superintendent of common schools shall have a right at all times to visit said school when the same shall be in operation, and if, in the opinion of the governor and council, said institution at any time hereafter, shall fail to fulfill the conditions contained in this resolve, they may, in their discretion, withhold the appropriation herein granted.

—proviso.

Approved February 27, 1885.

Chapter 191.

Resolve making appropriation for the Passamaquoddy Tribe of Indians for the years of eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Resolved, That there be paid from the state treasury, to be expended under the direction of the governor and council, to the agent of the Passamaquoddy tribe of Indians for the benefit of said tribe, for the years of eighteen hundred and eighty-five and eighteen hundred and eighty-six, as follows: For May dividends, five hundred dollars each year; for November dividends, five hundred dollars each year; for distressed and contingent poor, three thousand dollars each year; for bounty on crops, three hundred dollars each year; for ploughing, one hundred and fifty dollars each year; for salary of governor, one hundred dollars each year; for salary of lieutenant governor, forty dollars each year; for wood, three hundred dollars each year; contingent purposes, one hundred and fifty dollars each year; for salaries of priests, two hundred dollars each year; for dressing of land, one hundred and fifty dollars each year; for agricultural purposes, six hundred dollars each year; for educational purposes, six hundred dollars each year; for salary of agent, two hundred dollars each year; three hundred dollars for repairs on church and school house, at Peter Dana's Point. All the foregoing sums to be expended under the direction of the governor and council.

Passamaquoddy
Indians, in favor
of.

Approved March 3, 1885.

CHAP. 192**Chapter 192.**

Resolve in favor of Samuel H. Blake, Llewellyn Powers and Elisha W. Shaw.

S. H. Blake, et
als., in favor of.

—proviso.

Resolved, That there be paid out of the treasury of the state to Samuel H. Blake, Llewellyn Powers and Elisha W. Shaw, the sum of four hundred dollars. *Provided*, the said Blake, Powers and Shaw shall re-convey to the state, their right to cut and carry away the timber and grass on seven hundred and seventy acres of the reserved land in the east part of township number eleven, range seventeen, west of the east line of the state, that was conveyed to them in eighteen hundred and seventy-five, to which the state had no title.

Approved March 3, 1885.

Chapter 193.

Resolve in favor of State Reform School.

Reform School, in
favor of.

Resolved, That the sum of twenty-six thousand dollars be and is hereby appropriated for and in behalf of State Reform School for the year eighteen hundred and eighty-five, and seventeen thousand dollars for the year eighteen hundred and eighty-six, as follows: For the year eighteen hundred and eighty-five—for supplying Sebago water, seven thousand dollars; for new boiler and piping for heating, two thousand dollars; for general repairs and improving ventilation, two thousand dollars; for current expenses, fifteen thousand dollars. For the year eighteen hundred and eighty-six—for general repairs, two thousand dollars; for current expenses, fifteen thousand dollars.

Approved March 3, 1885.

Chapter 194.

Resolve in favor of Presque Isle Academy.

Resolved, That the treasurer of the state is hereby authorized and directed to pay the trustees of Presque Isle Academy the sum of one hundred and sixty-two dollars and fifty cents for the use and benefit of said academy, being interest due said academy from March twenty-two, eighteen hundred and eighty-three to February sixteen, eighteen hundred and eighty-four, under resolves of March twenty-two, eighteen hundred and sixty-four, and February twenty, eighteen hundred and eighty-three.

Presque Isle Academy, in favor of.

Approved March 3, 1885.

Chapter 195.

Resolve making appropriation for the Penobscot Tribe of Indians for the years of eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Resolved, That there be paid from the state treasury to the agent of the Penobscot Indians, to be appropriated for the benefit of said tribe each year, as follows: Forty-four hundred and twenty-nine dollars and seventy cents, amount of interest on their trust fund, held by the state for the benefit of said tribe; seventeen hundred dollars for their annual annuity each year; seven hundred dollars for agricultural purposes each year; four hundred and fifty dollars for bounty on crops each year; two hundred dollars for salary of agent each year; one hundred and fifty dollars to pay a competent person to instruct and assist said Indians in their agricultural labors each year; six hundred dollars for schools each year to be used in employing competent teachers, namely: four hundred dollars for Oldtown island, under the supervision of the agent of said tribe and resident priest; seventy-five dollars for Olamon island under the supervision of the superintending school committee of Greenbush; one hundred and twenty-five dollars on Mattanawcook island, under the supervision of the superintending school committee of Lincoln; and said committee are required to report as directed in resolve approved March seventeen, eighteen hundred and sixty. And it shall be the duty of said agent to see that the

Penobscot Indians, in favor of.

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money is fully expended for the education of the children of the tribe. One hundred dollars for the salary of said priest for each year, provided he says mass at least twenty-four Sundays during the year for said tribe of Indians; fifty dollars for salary of governor each year; forty dollars for salary of their lieutenant governor each year; one hundred dollars from the amount of shore rent for municipal purposes for said tribe each year, and one hundred dollars to be expended in building a road on Oldtown island if necessary. All the foregoing sums to be expended under the direction of the governor and council.

Approved March 3, 1885.

Chapter 196.

Resolve in favor of the Maine State College of Agriculture and Mechanic Arts.

College of Agriculture and Mechanic Arts, in favor of.

Resolved, That the sum of twelve thousand four hundred dollars be and hereby is appropriated for and in behalf of the Maine State College of Agriculture and Mechanic Arts, for the years eighteen hundred and eighty-five and eighteen hundred and eighty-six, to be expended as follows:—amount to pay for instruction in addition to revenue from endowment fund and tuition, three thousand three hundred dollars each year; traveling expenses of trustees, two hundred dollars each year; insurance, three hundred dollars each year; farm experiments, two hundred and fifty dollars each year; finishing shop and equipments, one thousand dollars; apparatus for the several departments, one thousand six hundred and fifty dollars; sanitary improvements and repairs, three hundred and fifty dollars; painting farm buildings, three hundred dollars; moving barn described in trustees report, one thousand dollars.

Approved March 3, 1885.

Chapter 197.

Resolve laying a tax on the counties of the state for the years eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Resolved, That the sums annexed to the counties in the following schedule are hereby granted as a tax on each county respectively, to be appropriated, assessed, collected and applied for the purpose of paying the debts and necessary expenses of the same and other purposes ordered by law, for the year one thousand eight hundred and eighty-five, to wit: County taxes.

Androscoggin, twenty-eight thousand dollars; Aroostook, sixteen thousand dollars; Cumberland, thirty thousand dollars; Franklin, seven thousand dollars; Hancock, eleven thousand one hundred and fifty dollars; Knox, twenty-one thousand dollars; Kennebec, thirty-two thousand dollars; Lincoln, eight thousand five hundred dollars; Oxford, eleven thousand dollars; Penobscot, thirty-two thousand dollars; Piscataquis, ten thousand five hundred dollars; Sagadahoc, fifteen thousand dollars; Somerset, fourteen thousand dollars; Washington, thirteen thousand dollars; Waldo, seventeen thousand dollars; York, twenty-two thousand five hundred dollars.

For the year one thousand eight hundred and eighty-six, the following sums, to wit: Androscoggin, twenty-eight thousand dollars; Aroostook, sixteen thousand dollars; Cumberland, thirty thousand dollars; Franklin, seven thousand dollars; Hancock, eleven thousand one hundred and fifty dollars; Knox, twenty-one thousand dollars; Kennebec, thirty-two thousand dollars; Lincoln, eight thousand one hundred dollars; Oxford, ten thousand two hundred dollars; Penobscot, thirty-two thousand dollars; Piscataquis, ten thousand five hundred dollars; Sagadahoc, fifteen thousand dollars; Somerset, fourteen thousand dollars; Washington, thirteen thousand dollars; Waldo, seventeen thousand dollars; York, twenty-two thousand five hundred dollars.

Approved March 3, 1885.

CHAP. 198**Chapter 198.**

Resolve in favor of the town of Littleton.

Town of Littleton, in favor of.

Resolved, That the secretary of state be directed to furnish to the town of Littleton the following books: volumes one, two, three, four, five, six, seven, eight, ten, eleven, twelve, fourteen, seventeen, nineteen, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-eight, thirty-nine, forty-three, forty-four, forty-six, forty-nine, fifty, fifty-four, fifty-five, sixty-eight and sixty-nine of the Maine Reports, so far as the same or any part thereof can be furnished without injury to the state, to replace volumes belonging to said town destroyed by fire.

Approved March 3, 1885.

Chapter 199.

Resolves making appropriations in favor of the Maine General Hospital for the years eighteen hundred and eighty-five, and eighteen hundred and eighty-six.

Maine General Hospital, in favor of.

Resolved, That the sum of ten thousand dollars be and hereby is appropriated toward defraying the expenses of the Maine General Hospital for the year ending December thirty-one, eighteen hundred and eighty-five, and the year ending December thirty-one, eighteen hundred and eighty-six; and that the governor be and hereby is authorized to draw his warrant quarterly, commencing March thirty-one, eighteen hundred and eighty-five, for the sum of twelve hundred and fifty dollars, for the above purpose.

Resolved, That the further sum of two thousand five hundred dollars be and hereby is appropriated to aid in the completion of the amphitheater for the Maine General Hospital, and that the governor be and hereby is authorized to draw his warrant for said sum of two thousand five hundred dollars, at any time after the approval of this resolve.

Approved March 3, 1885.

Chapter 200.

Resolve providing for the publication and distribution of the Acts and Resolves of eighteen hundred and eighty-five.

Resolved, That the secretary of state is hereby directed to procure the publication and distribution of the acts and resolves of the sixty-second legislature, on or before the twentieth day of April, eighteen hundred and eighty-five.

Acts and resolves, publication of.

Approved March 3, 1885.

Chapter 201.

Resolve in favor of Simeon D. Packard.

Resolved, That the state treasurer is hereby authorized and directed to pay to Simeon D. Packard of Monson, fifty-two dollars and eighty cents for one cow and one steer killed by order of the selectmen of said town of Monson, after having been appraised by three disinterested men, said animals having been pronounced sick with the lung murrain, a contagious disease.

S. D. Packard, in favor of.

Approved March 3, 1885.

Chapter 202.

Resolve in favor of B. H. Swift.

Resolved, That the state treasurer is hereby authorized and directed to pay to B. H. Swift, of Monson, fifty-two dollars for one cow and one yearling, killed by order of the selectmen of said town of Monson, and appraised by S. H. Draper, A. A. Kirk, and S. D. Packard, said animals having been pronounced sick with the lung murrain, a contagious disease.

B. H. Swift, in favor of.

Approved March 3, 1885.

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Chapter 203.

Resolve in favor of State Normal Schools.

Normal schools,
in favor of.

Resolved, That for repairs and improvements of the buildings and grounds of the three normal schools established and maintained by the state, there be and hereby is appropriated the sum of twelve hundred dollars for the year eighteen hundred and eighty-five, and the like sum of twelve hundred dollars for the year eighteen hundred and eighty-six, the same to be expended under the direction of the trustees of normal schools.

Approved March 3, 1885.

Chapter 204.

Resolves to correct certain clerical errors in the State Valuation.

State valuation, to
correct errors in.

Resolved, That the state valuation of eighteen hundred and eighty-one, relating to lands in the county of Aroostook, and described under the head of Aroostook county wild lands, upon page seventeen of the printed resolves of eighteen hundred and eighty-one, and being a part of the schedules annexed to chapter twenty-seven of the resolves for said year, be amended as follows: by striking out

ACRES.

"D, R. 2, 21,477 Twenty-one thousand four
hundred and seventy-
seven dollars, \$ 21,477 00"

and inserting in place thereof

'D, R. 2, 21,791 Twenty-one thousand seven
hundred and ninety-one
dollars, 21,791 00'

Also by striking out

"E, R. 2, 12,722 Twelve thousand seven hun-
dred and twenty-two dol-
lars, 12,722 00"

and inserting in place thereof

'E, R. 2, 12,459 Twelve thousand four hun-
dred and fifty-nine dol-
lars, 12,459 00'

Also by striking out

"No. 8, R. 3,

W. E. L. S., 22,040 Twenty-seven thousand five
hundred dollars, \$27,500 00"

and inserting in place thereof

'No. 8, R. 3,

W. E. L. S., 21,049 Twenty-six thousand two
hundred sixty-three dol-
lars, 26,263 00'

Resolved, That the state and county taxes for the years State tax.
eighteen hundred and eighty-one, eighteen hundred and
eighty-two, eighteen hundred and eighty-three and eighteen
hundred and eighty-four, upon nine hundred and ninety-one
acres of land in township number eight, range three, Aroos-
took county, and upon two hundred and sixty-three acres in
township E, range two in said county, for the years eighteen
hundred and eighty-three and eighteen hundred and eighty-
four be and the same are hereby abated.

Approved March 4, 1885.

Chapter 205.

Resolve in favor of schools in Bowerbank, an unincorporated place in the county of
Piscataquis.

Resolved, That the sum of one hundred dollars is hereby Schools in Bower-
bank, in favor of
appropriated out of the school fund, to be paid by the treasurer
of the state to the trustees of the Bowerbank school fund, a
corporation established by act approved February twenty-
second, in the year eighteen hundred and seventy-six, entitled
"An Act to make available the school fund of the inhabitants
of Bowerbank, an unincorporated place in the county of
Piscataquis," said one hundred dollars to be applied by said
trustees for the benefit of schools in said Bowerbank;
twenty-five dollars thereof, with accruing interest thereon, to
be used annually for the support of said schools for the four
years next ensuing from and after March ten, in the year
eighteen hundred and eighty-five, in the payment of teachers
of said schools, in the same manner as provided in said act
in relation to the interest on said school fund; and said

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trustees are hereby authorized to loan said one hundred dollars and any unexpended balance thereof, in same manner as by said act they may loan said Bowerbank school fund.

Approved March 4, 1885.

Chapter 206.

Resolve in favor of the town of Wiscasset.

Town of Wiscasset, in favor of.

Resolved, That the treasurer of state be directed to pay to the town of Wiscasset, the sum of one hundred and fifty-six dollars and seventeen cents, being the balance in equity due said town as its proportion of school fund for the year eighteen hundred and eighty-four, to be taken from the school fund and mill tax of eighteen hundred and eighty-five.

Approved March 4, 1885.

Chapter 207.

Resolve in favor of the town of Frenchville, Aroostook county.

Town of Frenchville, in favor of.

Resolved, That the sum of two hundred dollars be and is hereby appropriated to aid in building a bridge over the stream at Benjamin Bourgoins, in the town of Frenchville, to be expended under the direction of the governor and council, under the condition that the town of Frenchville completes said bridge.

Approved March 4, 1885.

Chapter 208.

Resolve in favor of Matthias A. Cullnan, of Belfast.

M. A. Cullnan, in favor of.

Resolved, That there be paid out of the treasury of the state to Matthias A. Cullnan, of Belfast, the sum of four dollars per month, as a military pension, during the pleasure of the legislature, commencing January first, in the year of our Lord eighteen hundred and eighty-five.

Approved March 4, 1885.

Chapter 209.

Resolve in aid of the dairying, beef raising and mutton growing interests of the State of Maine.

Resolved, That the sum of one thousand dollars be and hereby is appropriated for the Maine State Agricultural Society, and one thousand dollars for the Eastern Maine State Fair, of which there shall be paid the sum of five hundred dollars to each of said societies during the year one thousand eight hundred and eighty-five, and five hundred dollars to each of said societies during the year eighteen hundred and eighty-six, *provided*, that each of said societies appropriate an amount of money equal to the sum herein appropriated, and in addition thereto, for premiums to the classes mentioned in this resolve. Four hundred dollars of said appropriations shall be used annually by each society for the purpose of encouraging the dairying interests in this state. Four hundred dollars for the purpose of encouraging the raising of beef and fat cattle in this state, and two hundred dollars for the purpose of encouraging mutton growing in this state. These several sums shall be offered by the two said societies in premiums to be competed for by the citizens of this state. The list for the premiums shall be arranged jointly by the executive officers of the two said societies, together with the president and secretary of the board of agriculture.

Dairying, etc.,
interests in favor
of.

Approved March 4, 1885.

Chapter 210.

Resolve authorizing the County of Franklin to procure a loan.

Resolved, That the treasurer of the county of Franklin is hereby authorized to procure by loan, in addition to the loan authorized by section seventeen of chapter seventy-eight of revised statutes, and on the faith and responsibility of said county, a sum not exceeding five thousand dollars, to be expended by, and under the direction of the county commissioners of said county, for the purpose of building a court house, the interest on said sum to be paid annually or semi-annually, and the principal to be reimbursed by said county

Treasurer of
Franklin County
authorised to
procure a loan.

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at such time or times as the county commissioners may agree upon, *provided*, the whole sum shall be paid within ten years, and the said treasurer is hereby authorized to issue his scrip as county treasurer therefor, with coupons for interest attached, payable in manner aforesaid.

Approved March 4, 1885.

Chapter 211.

Resolves in favor of arbitration and peace.

Peace, establish-
ment of.

Whereas, It is the duty of all nations to avoid by every honorable means the burden and curse of war, and to establish peace upon the broadest and most permanent basis possible, and,

Arbitration.

Whereas, It seems to be the settled policy of the United States government to insist on the insertions in its treaties with foreign governments, a stipulation that controversies arising under the terms of such treaties on the failure of negotiations shall be referred to umpires, mutually satisfactory, whose decision shall be final and authoritative, a policy which has been already adopted by several foreign governments.

Treaties.

Resolved, That the senate of the United States should refuse to ratify any treaty which omits such a stipulation.

Court of arbitra-
tion, in favor of.

Resolved, That in order to render the principle of arbitration permanently practical, a standing high court of arbitration composed of persons chosen by each covenanting nation, on account of their peculiar fitness, ought to be constituted, to which should be referred for consideration and settlement, those questions which have hitherto too often been left to the arbitrament of war.

International
congress to
adjust differ-
ences.

Resolved, That a convention or congress of representatives from the nations, to adjust differences of international laws and usage, ought by mutual agreement to be called at some place most suitable and convenient, which might also agree upon the general character and powers of the aforesaid court of arbitration.

Act to provide for
convention,
endorsed.

Resolved, That the bill introduced into the national house of representatives, March third, eighteen hundred and eighty-four, by the Hon. I. Newton Evans, of Tennessee, which pro-

vided for the calling of such a convention at Washington, by the United States government, meets with our approval, and we would hereby respectfully memorialize and petition the congress of the United States to pass said bill so that it may speedily become a law.

Resolved, That a copy of these resolutions, properly prepared and signed, be forwarded to each of the two houses of congress, and also to each senator and representative now in congress from the State of Maine.

Approved March 4, 1885.

Chapter 212.

Resolves relative to the sale of Kennebec Arsenal at Augusta.

Resolved, By the Senate and House of Representatives in Legislature assembled, That our senators and representatives in congress are hereby requested to use all honorable means to discourage and prevent the sale of the Kennebec Arsenal at Augusta, Maine.

Kennebec
Arsenal, protest
against sale of

Resolved, That a copy of these resolves be forwarded by the secretary of state to each of our senators and representatives in congress.

Members of
congress to be
furnished copy of
resolves.

Approved March 4, 1885.

Chapter 213.

Resolve in aid of dredging and building breakwater at head of Damariscotta Lake.

Resolved, That the sum of four hundred dollars be and is hereby appropriated out of the treasury, and expended under the direction of the county commissioners of Lincoln county, to aid in dredging and building a breakwater at the entrance of the Damariscotta river into the head of Damariscotta lake, in the town of Jefferson, in said county, *provided*, that there be raised in said town, and surrounding towns, a sum which, with said four hundred dollars, shall be sufficient to complete said dredging and breakwater to the satisfaction of the said county commissioners.

Damariscotta
lake, in favor of
dredging.

Approved March 4, 1885.

CHAP. 214**Chapter 214.**

Resolve in favor of the Maine State Library.

State Library, in
favor of.

Resolved, That the sum of five hundred dollars be appropriated for the state library for each of the years eighteen hundred and eighty-five and eighteen hundred and eighty-six, in addition to the sum allowed by law, for the purchase of books and incidental expenses.

Approved March 4, 1885.

Chapter 215.

Resolve for repairing bridge at Fort Kent, Arcoostook County.

Bridge at Fort
Kent, for repair
of.

Resolved, That there be and hereby is appropriated the sum of one thousand dollars, to be expended under the direction of the governor and council, in repairing the bridge across Fish river, near its mouth, in the town of Fort Kent.

Approved March 4, 1885.

Chapter 216.

Resolve in favor of the State Prison.

State Prison, in
favor of.

Resolved, That the sum of seven thousand seven hundred dollars be, and is hereby appropriated for the benefit of the State Prison, to be divided as follows: five thousand five hundred dollars for the building of a blacksmith shop, to be built under the direction of the warden and inspectors of prisons, and two thousand dollars for repairs on prison buildings, one thousand of which is to be expended in the year eighteen hundred and eighty-five, and the other thousand in the year eighteen hundred and eighty-six; and two hundred dollars for the prison library, one hundred of which is to be expended in the year eighteen hundred and eighty-five, and one hundred in the year eighteen hundred and eighty-six. The last two named sums are to be expended under the direction of the warden.

Approved March 4, 1885.

Chapter 217.

Resolve in favor of John P. Petterson.

Resolved, That the Land Agent is hereby authorized to convey to John P. Petterson, lots number thirty-eight and thirty-nine, in New Sweden, Aroostook County, with the advice and consent of the governor and council.

John P. Petterson, in favor of.

Approved March 4, 1885.

Chapter 218.

Resolve in favor of Baxter Smith.

Resolved, That the Land Agent is hereby authorized to convey to Baxter Smith, under the direction of the governor and council, lot H, in township number five, range thirteen, west of the east line of the State.

Baxter Smith, in favor of.

Approved March 4, 1885.

Chapter 219.

Resolve in aid of Oak Grove Seminary.

Resolved, That the sum of six hundred dollars be, and hereby is appropriated to aid in defraying the expenses of Oak Grove Seminary, in the town of Vassalborough, of which there shall be paid the sum of three hundred dollars in eighteen hundred and eighty-five, and three hundred dollars in eighteen hundred and eighty-six.

Oak Grove Seminary, in favor of.

Approved March 4, 1885.

Chapter 220.

Resolve authorizing the county commissioners of Waldo county to obtain a temporary loan.

Resolved, That the county treasurer of the county of Waldo is hereby authorized to procure by loan on the faith and responsibility of the said county, for the purpose of promptly defraying the necessary expenses of said county for the cur-

Treasurer of Waldo County, authorized to procure a loan.

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rent year, such sum, or sums, as the county commissioners of said county shall order and direct, not exceeding in the whole the sum of five thousand dollars, payable on or before the thirty-first day of December next, with interest at such rate as said county commissioners shall determine.

Approved March 4, 1885.

Chapter 221.

Resolve in favor of Hamlin Plantation.

Hamlin plantation, resolve in favor of.

Resolved, That the sum of two hundred dollars be appropriated to aid in building a bridge at Raphael Martin stream in Hamlin plantation, Aroostook county, and to be expended under the direction of the governor and council. *Provided*, that the inhabitants of said plantation build said bridge to the acceptance of the governor and council.

Approved March 4, 1885.

Chapter 222.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Bath Military and Naval Orphan Asylum, in favor of.

Resolved, That there be and hereby is appropriated the sum of sixteen thousand five hundred dollars for the use of the Bath Military and Naval Orphan Asylum, of which there shall be paid seven thousand dollars for current expenses, and two thousand dollars for repairs in the year eighteen hundred and eighty-five; and seven thousand dollars for current expenses, and five hundred dollars for repairs in the year eighteen hundred and eighty-six.

Approved March 4, 1885.

Chapter 223.

Resolve for the protection of the sea and shore fisheries and shell fish, for the years eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Sea and shore fisheries, for protection of.

Resolved, That the sum of two thousand five hundred dollars be and is hereby appropriated for each of the years of eighteen hundred and eighty-five and eighteen hundred and

eighty-six, to be expended by the commissioner of sea and shore fisheries and shell fish, under the direction of the governor and council.

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Approved March 5, 1885.

Chapter 224.

Resolves relating to United States appropriations for Indians.

Whereas, believing that the education of Indians and their voluntary citizenship in the United States, will most justly, quickly, and economically solve the Indian problem, therefore :

Preamble.

Resolved, That the senators and representatives in congress, be, and they hereby are requested to aid in the passage of resolutions solemnly pledging the faith of the nation to the Indian policy embodied in the following principles :

Indian policy.

First. That the unpaid sum pledged for educational purposes, by the government, as part payment for the cession of lands by Indians, be appropriated for the purchase of stock, farming implements and tools, for Indian manual labor schools.

Purchase of stock, etc.

Second. That so much of the net proceeds of the sale of public lands, as may be necessary, shall be set apart for the purpose of creating a permanent fund for the education of Indians.

—education.

Third. That lands in severalty, making their titles inalienable for twenty-five years, and United States citizenship may be granted at once to all Indians who so desire.

—titles to lands and citizenship.

Fourth. That the legal personality of all Indians may be granted, and that protection of law may be given them, as it is to all other races within these United States.

—legal personality and protection.

Fifth. That the civilization of Indians may be hastened by providing for and rewarding their civilized industries.

—rewards.

Sixth. That the salaries of Indian agents be sufficiently increased to secure good men of large capacity and business experience, and to retain them in service.

—Indian agents.

Resolved, That the governor be requested to transmit a copy of the foregoing resolutions to each of the senators and representatives in congress from this state.

Members of congress to be forwarded copy.

Approved March 5, 1885.

CHAP. 225**Chapter 225.**

Resolves in favor of the Maine Industrial School for Girls.

Building, completion of, in favor of.

Resolved, That the sum of five thousand dollars be, and the same is hereby appropriated for the completion and furnishing of the new building of the Maine Industrial School for Girls, at Hallowell, now in process of erection, the same to be expended by the trustees of said school, and all bills and vouchers for such expenditures, shall be submitted to the governor and council for auditing and approval.

Industrial school, in favor of.

Resolved, That there be, and hereby is appropriated, the sum of four thousand dollars for the use of the Maine Industrial School for Girls, at Hallowell, to meet the current expenses of the year one thousand eight hundred and eighty-five; and four thousand dollars for the same purpose for the year one thousand eight hundred and eighty-six; *provided, however*, that the building above mentioned is finished, furnished, fully officered and ready for the reception of girls, legally and properly sent to said school, by the first day of February, eighteen hundred and eighty-six, the appropriation for that year shall be six thousand dollars.

Approved March 5, 1885.

Chapter 226.

Resolve in favor of the town of Penobscot.

Town of Penobscot, in favor of.

Resolved, That the secretary of state be directed to furnish to the town of Penobscot, the following books: volumes ten, eleven, twelve, eighteen, twenty-two, twenty-five, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-three, thirty-four, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-one, forty-two, forty-three, forty-four, forty-five, forty-seven, forty-eight, fifty-five, and fifty-seven of the Maine Reports, so far as the same, or any part thereof, can be furnished without injury to the state, to replace volumes belonging to said town, which have been destroyed by fire.

Approved March 5, 1885.

Chapter 227.

Resolve in favor of the city of Auburn.

Resolved, That there be paid by the treasurer of state, out of the school funds of the current year, to the city of Auburn, the sum of four hundred seventy dollars and nine cents, it being a balance equitably due said town as its proportion of the school funds for the year eighteen hundred and eighty-four.

City of Auburn,
in favor of.

Approved March 6, 1885.

Chapter 228.

Resolve in favor of the Town of Orient.

Resolved, That the sum of one hundred and fifty dollars be appropriated to aid in building a bridge across the thoroughfare between North and Grand lakes in Aroostook county, and to be expended under the direction of some person appointed by the governor and council; *provided* that the inhabitants of said town shall raise money for the completion of said bridge.

Town of Orient,
in favor of.

Approved March 6, 1885.

Chapter 229.

Resolve in favor of building and repairing the bridge across Shin Pond Stream, in Mount Chase, Penobscot County.

Resolved, That the sum of five hundred dollars be and is hereby appropriated to aid in building and repairing the bridge across Shin Pond stream in the town of Mount Chase; *provided*, said town of Mount Chase shall expend an equal sum in cash or labor and shall build a bridge with stone abutments, and said sum of five hundred dollars shall be paid to said town when said bridge shall have been completed to the satisfaction of some person designated by the governor and council.

Town of Mount
Chase, in favor of.

—proviso.

Approved March 6, 1885.

CHAP. 230**Chapter 230.**

Resolve authorizing the Secretary of State to purchase certain volumes of the Maine Reports.

Maine Reports,
purchase of, in
favor of.

Resolved, That the secretary of state be, and he is hereby authorized to purchase for the use of the state, of McLellan, Mosher and Company, fifty of each of the Maine reports, volumes forty-three and forty-four, at a price not exceeding four dollars per volume.

Approved March 6, 1885.

Chapter 231.

Resolve in favor of Eli Goss of Portland.

Eli Goss, in favor
of.

Resolved, That there be paid to Eli Goss out of the treasury of this state, the sum of four dollars per month, from the first day of January, eighteen hundred and eighty-five, during his life, for injuries received while in the service of the state, this sum to be in addition to that now received by him.

Approved March 6, 1885.

Chapter 232.

Resolve in favor of the town of Frankfort.

Town of Frank-
fort, in favor of.

Resolved, That there be paid by the treasurer of state, out of the school funds of the current year, to the town of Frankfort, the sum of sixty-eight dollars and sixty-four cents, it being a balance equitably due said town as its proportion of the school funds for the year eighteen hundred and eighty-four.

Approved March 6, 1885.

Chapter 233.

Resolve in favor of copying the Muster-Out Rolls.

Resolved, That the adjutant general be, and is hereby authorized to contract for the copying of the muster-out rolls of the Maine troops which served in the war of the rebellion, at a sum not exceeding twelve hundred dollars, six hundred to be taken from the military appropriation for the year eighteen hundred and eighty-five, and the same sum from the same appropriation for the year eighteen hundred and eighty-six.

Muster-out rolls
of Maine troops,
copying of.

Approved March 6, 1885.

Chapter 234.

Resolve in favor of the Secretary of the Senate.

Resolved, That there be paid from the treasury to the secretary of the senate, for furnishing daily papers to members and officers of the senate, to members and officers of the house of representatives and to the executive council during the present session; for advertising for the legislature and executive council, and for postage and transporting mail and documents, for the senate and house of representatives, the sum of six hundred and eighty-two dollars and thirty-six cents.

Secretary of the
senate, in favor
of.

Approved March 6, 1885.

CHAP. 235

PAY ROLL of the members and officers of the House, of the Sixty-Second Legislature, at the session held at Augusta, commencing on the seventh day of January, and ending on the sixth day of March, in the year of our Lord, one thousand eight hundred and eighty-five.

COUNTY OF ANDROSCOGGIN.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Auburn	Benjamin J. Hill.....	65	\$150	\$163
	Silvester Oaks	65	150	163
Leeds	Seth Howard	70	150	164
Lewiston	Charles Walker.....	65	150	163
	D. J. McGillicuddy	65	150	163
	J. M. Robbins.....	65	150	163
	L. J. Martel	65	150	163
Lisbon	Jeremiah Philbrook	50	150	160
Livermore	John O. Palmer.....	75	150	165
Minot.....	Prescott R. Cobb	75	150	165
Poland	Benjamin H. Noble.....	70	150	164
				1,796

COUNTY OF AROOSTOOK.

Amity	Charles E. Dunn.....	250	150	200
Bridgewater ...	James H. Kidder	370	150	224
Frenchville.....	Peter D. Gagnon	395	150	229
Fort Fairfield ..	Daniel S. Jones.....	325	150	215
Fort Kent.....	William Dickey	400	150	230
Grand Isle	Alexis Cyr.....	375	150	225
Houlton	Frederic Powers.....	245	150	199
Masardis	William Cowperthwaite ...	350	150	220
Perham	James Nutting	350	150	220
Presque Isle ...	Thomas H. Phair.....	350	150	220
				2,182

COUNTY OF CUMBERLAND.

Baldwin	Isaac W. Dyer.....	90	150	168
Bridgton	William W. Cross	120	150	174
Brunswick.....	Franklin Adams.....	35	150	157
Cape Elizabeth..	Clement E. Staples	70	150	164
Cumberland	Clinton M. Hamilton	75	150	165
Deering	Henry B. Webb.....	65	150	163

COUNTY OF CUMBERLAND—CONCLUDED.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Gorham	Edward Harding	75	\$150	\$165
Gray	George A. Morrill	90	150	168
Harrison	Thomas D. Emery	120	150	174
Naples	Llewellyn Barton	115	150	173
Portland	Clarence Hale	65	150	163
	Elias Thomas	65	150	163
	Orville K. Gerrish	65	150	163
	Daniel W. Ames	65	150	163
	Charles P. Mattocks	65	150	163
	As Speaker <i>pro tem.</i>			8
Pownal	Levi P. Cushman	55	150	161
Scarboro'	Otis Kaler	75	150	165
Westbrook	Charles B. Woodman	65	150	163
Windham	John M. White	80	150	166
Yarmouth	Lorenzo L. Shaw	55	150	161
				3,310

COUNTY OF FRANKLIN.

Farmington	Edward P. Davis	105	150	171
Madrid	William L. Dunham	130	150	176
Weld	Joseph S. Houghton	105	150	171
Wilton	Edward P. Packard	90	150	168
				686

COUNTY OF HANCOCK.

Amherst	William L. Hussey	125	150	175
Bluehill	Edward E. Chase	115	150	173
Brooksville	Charles H. Perkins	165	150	183
Bucksport	Albert H. Genn	95	150	169
Eden	Serenus H. Rodick	225	150	195
Ellsworth	Charles C. Burrill	105	150	171
Penobscot	John P. Haney	110	150	172
Sullivan	Barney B. Havey	115	150	173
Swan's Island ..	William P. Herrick	200	150	190
				1,601

COUNTY OF KENNEBEC.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Augusta.....	Herbert M. Heath	5	\$150	\$151
	Ira H. Randall.....	5	150	151
Benton.....	Sprague Holt	25	150	155
Chelsea	William T. Searles	10	150	152
Farmingdale ...	Levi M. Lancaster.....	5	150	151
Gardiner	Gustavus Moore.....	10	150	152
Hallowell	Albert M. Spear.....	5	150	151
Monmouth.....	Otis W. Andrews	55	150	161
Oakland	Albion P. Benjamin.....	25	150	155
Rome	John R. Prescott	25	150	155
Vienna	Albion G. Whittier	25	150	155
Waterville.....	Frederick C. Thayer	20	150	154
Windsor	Samuel P. Barton	15	150	153
				1,996

COUNTY OF KNOX.

Appleton	Elijah D. Gushee.....	95	150	169
Camden	E. Frank Knowlton.....	100	150	170
North Haven ..	George T. Lewis	115	150	173
Rockland	John S. Case	95	150	169
	Charles E. Littlefield	90	150	168
St. George.....	Henry F. Kalloch	100	150	170
Thomaston	Joseph E. Moore	90	150	168
Union	Emery F. Joy.....	90	150	168
				1,355

COUNTY OF LINCOLN.

Bristol.	Thomas Couch	75	150	165
Jefferson	Joseph J. Bond.....	25	150	155
Newcastle	Samuel D. Wyman.....	70	150	164
Southport	Clark L. Nelson	65	150	163
Waldoboro'	Charles C. Eugley	80	150	166
Wiscasset.....	Richard H. Tucker	55	150	161
				974

COUNTY OF OXFORD.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Brownfield	Bradford Cole.....	110	\$150	\$172
Canton	Charles H. Gilbert.....	100	150	170
Lovell	Clayton M. Stearns	150	150	180
Milton Plant'n..	George Brown.....	125	150	175
Norway	William W. Whitmarsh...	90	150	168
Peru	William H. Walker.....	110	150	172
Stoneham	Jonathan Bartlett.....	130	150	176
				1,213

COUNTY OF PENOBSCOT.

Bangor	Charles Hamlin, <i>Speaker</i> ..	75	300	315
	Hiram H. Fogg.....	75	150	165
	Charles E. Field	75	150	165
Brewer	George W. Patten.....	80	150	166
Carmel	F. M. Simpson	70	150	164
Corinna.....	Hosea B. Rackliff.....	60	150	162
Corinth.....	George H. Smith.....	95	150	169
Dixmont.....	Benjamin Bussey	75	150	165
Eddington	Jerome H. Comins	90	150	168
Garland	Elisha S. Coan	70	150	164
Hampden.....	Henry W. Mayo	90	150	168
Howland	Emery R. Bailey	115	150	173
Lee	George W. Coffin	130	150	176
Oldtown	George T. Sewall.....	90	150	168
Orono	A. Franklin Lewis	80	150	166
Patten	Daniel Scribner	170	150	184
				2,838

COUNTY OF PISCATAQUIS.

Foxcroft	Thomas F. Dyer	130	150	176
Milo	Orin W. Freeman.....	120	150	174
Monson	John F. Sprague.....	155	150	181
				531

COUNTY OF SAGADAHOC.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Bath	John S. Elliot.....	50	\$150	\$160
Georgetown	Benjamin F. Hinckley	65	150	163
Richmond.....	Harrison Springer	20	150	154
Topsham	Isaac E. Mallett.....	40	150	158
				635

COUNTY OF SOMERSET.

Anson.....	John Tinkham.....	50	150	160
Cambridge	Timothy Ham	80	150	166
Canaan	Salem Edmunds.....	45	150	159
Concord.....	William W. Hamblett....	70	150	164
Madison	William H. Blackwell....	45	150	159
Palmyra	Virgil D. Sweetland	50	150	160
Skowhegan	Sylvester J. Walton	40	150	158
Smithfield	Otis Sawyer	45	150	159
				1,285

COUNTY OF WALDO.

Belfast	Nathan F. Houston.	65	150	163
Burnham.....	Isaac C. Libby.....	35	150	157
Montville	Jonathan Bartlett.....	80	150	166
Morrill	Israel Woodbury	75	150	165
Northport	Lucius H. Duncan.....	85	150	167
Searsport	B. F. Pendleton	75	150	165
Winterport	George W. Ritchie.....	75	150	165
				1,148

COUNTY OF WASHINGTON.

Addison.....	Albion P. Coffin	285	150	207
Calais.....	Edward C. Goodnow.....	295	150	209
Danforth	Henry C. Goodwin	160	150	182
Edmunds.....	Aaron K. Hobart.....	300	150	210
East Machias...	B. Thomas Chaloner.....	315	150	213
Eastport.....	Simon Stevens	265	150	203
Machias	Charles O. Furbush.....	315	150	213
Machiasport ...	George F. Warren.....	315	150	213
Millbridge	Francis A. Googins.....	275	150	205
Perry	William H. Lincoln.....	300	150	210
				2,065

COUNTY OF YORK.

TOWNS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Acton	Oliver C. Titcomb.....	125	\$150	\$175
Berwick.....	John H. Stillings.....	115	150	173
Buxton	Frank J. Leavitt.....	85	150	167
Biddeford.....	Frank S. Warren	80	150	166
	Daniel Cote.	80	150	166
Eliot	Samuel E. Cole	130	150	176
Kennebunk.....	Joseph Parsons.....	90	150	168
Kennebunkport,	Enoch Cousens.....	95	150	169
Kittery	Jesse E. Frisbee	125	150	175
Limerick	William W. Mason.....	100	150	170
Lyman	Sylvester Hill	100	150	170
Parsonsfield	Dominicus Ricker	120	150	174
Saco	Ira H. Foss	80	150	166
Sanford	Benjamin Beal.....	100	150	170
York.....	Samuel W. Junkins	125	150	175
				2,560

OFFICERS.

OFFICE.				
Speaker <i>pro tem.</i>	H. M. Heath.....			\$ 4
Clerk	Nicholas Fessenden	325	\$600	665
			50	50
	Oramandal Smith	25	100	105
Assistant Clerk,	William S. Cotton, Jr	55	300	311
Messenger	William J. Smith	50	150	160
	For extra work.....		35	35
	C. H. Getchell			35
1st Assistant				
Messenger..	John F. Chase.....	10	150	152
	For extra work.....		35	35
	John W. Phinney			32
2d Assistant				
Messenger..	George H. Fisher	75	150	165
	For extra work.....		35	35
Folder	J. F. Frederick.....	60	150	162
	For extra work.....		35	35
Folder	Fred A. Stevens	85	150	167
	For extra work.....		35	35
Chaplain.....	Rev. D. B. Randall	15	150	153
Chaplains	{ " V. D. Sweetland....			10
<i>pro tem.</i>	{ " Dr. Allen			8
	{ " A. C. White.....			2

OFFICERS—CONCLUDED.

OFFICE.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
Page	Fred B. Hill.....	5	\$100	\$101
"	Honace W. Philbrook....	10	100	102
"	Herbert Locke			11
"	Llewellyn Cooper.....			11
Official Reporter	J. A. Hayden	65	13	313
				<hr/> 2,894

RECAPITULATION.

Androscoggin.....	\$1,796
Aroostook	2,182
Cumberland	3,310
Franklin.....	686
Hancock	1,601
Kennebec	1,996
Knox	1,355
Lincoln.....	974
Oxford.....	1,213
Penobscot	2,838
Piscataquis.....	531
Sagadahoc.....	635
Somerset	1,285
Waldo	1,148
Washington	2,065
York.....	2,560
	<hr/> 26,175
Officers.....	2,894
	<hr/> 29,069

Chapter 235.

Resolve on the Pay Roll of the House.

Pay roll of the House.

Resolved, That there be paid out of the treasury of the state to the several persons named in the foregoing pay roll, the sums set against their names respectively, amounting to the sum of twenty-nine thousand and sixty-nine dollars.

Approved March 6, 1885.

Chapter 236.

Resolve for the purchase of the Maine State Year Book and Legislative Manual for the years eighteen hundred and eighty-five and eighteen hundred and eighty-six.

Resolved, That the secretary of state be authorized to contract for five hundred and fifty copies of the Maine state year book and legislative manual for the year eighteen hundred and eighty-five, also seven hundred and fifty copies of the same for the year eighteen hundred and eighty-six, to be delivered on or before the first day of May of each year, at a cost not to exceed one dollar and fifty cents per copy, said copies to be distributed in the usual manner.

Maine State Year Book, purchase of

Approved March 6, 1885.

Chapter 237.

Resolves relating to the taxation of timber and grass on the Reserved Lands of the State.

Resolved, That the governor and council are hereby required to make a valuation of the timber and grass on the reserved lands in the several townships and tracts of land, in the state, where said timber and grass have been sold and conveyed by deed, with all other interests conveyed thereby. Said valuation to be made for the purpose of taxation. Said tax to be assessed at the same rate as state and county taxes are now assessed upon other property in the state, and to be first reported to the legislature and assessed for the year eighteen hundred and eighty-seven.

Valuation of timber and grass on reserved lands.

—purpose.

Resolved, That the land agent is hereby required to furnish for the governor and council, a schedule of all such reserved lands whereon the timber and grass have been sold and conveyed by deed, showing the townships and number of acres in each township so sold.

—schedule of lands.

Approved March 6, 1885.

Chapter 238.

Resolve in favor of Benjamin Smith of Appleton.

Resolved, That there be paid to Benjamin Smith of Appleton, a pension of two dollars per month during life, commencing on first day of January, in the year of our Lord eighteen hundred and eighty-five.

B. Smith, in favor of

Approved March 6, 1885.

PAY ROLL of the members and officers of the Senate, of the Sixty-Second Legislature, at the session held at Augusta, commencing on the seventh day of January, and ending on the sixth day of March, in the year of our Lord, one thousand eight hundred and eighty-five.

DISTRICTS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
<i>First</i>	George S. Goodwin	110	\$150	\$172
	Charles W. Smith	100	150	170
	Rufus P. Tapley	80	150	166
<i>Second</i>	David H. Cole	100	150	170
	Fabius M. Ray	75	150	165
	George P. Wescott	65	150	163
	Stephen J. Young	35	150	157
<i>Third</i>	Henry M. Bearce	90	150	168
	Albion P. Bonney	90	150	168
<i>Fourth</i>	William D. Roak	80	150	166
	William D. Pennell, <i>President,</i>	65	300	313
<i>Fifth</i>	Philip H. Stubbs	115	150	172
<i>Sixth</i>	John H. Kimball	50	150	160
<i>Seventh</i>	George E. Weeks	10	150	152
	Francis E. Heath	20	150	154
<i>Eighth</i>	Stephen A. Nye	25	150	155
<i>Ninth</i>	Augustus G. Lebroke	130	150	176
<i>Tenth</i>	John L. Cutler	75	150	165
	Samuel Libbey	85	150	160
	Philip Wilson	50	150	169

MEMBERS OF THE SENATE—Concluded.

DISTRICTS.	NAMES.	Miles Travel.	Amount for Attendance.	Am't for Travel and Attendance.
<i>Eleventh</i>	Sebastian S. Marble.....	85	\$150	\$167
<i>Twelfth</i>	Samuel H. Allen.....	90	150	168
	Thaddeus R. Simonton ...	100	150	170
<i>Thirteenth</i>	Joseph R. Mears.....	75	150	165
	Alfred E. Nickerson.....	75	150	165
<i>Fourteenth</i>	Oliver P. Bragdon.....	135	150	177
	Guy W. McAlister.....	90	150	168
<i>Fifteenth</i>	Edward A. Austin.....	285	150	207
	Edward B. Hume.....	265	150	203
<i>Sixteenth</i>	Ansel L. Lumbert	250	150	200
	Elisha E. Parkhurst.....	345	150	219 .
	Total			5,449

OFFICERS.

OFFICE.				
Secretary	Charles W. Tilden	10	600	602
	Extra for filing and indexing			100
Ass't Secretary,	George E. Minot	20	40	44
	Kendall M. Dunbar	75	300	315
Messenger	Charles H. Lovejoy	20	175	179
	Extra service,			35
Ass't Messenger	F. E. Voter.....	100	150	170
	Extra service,			35
Folder	A. B. T. Chadbourne.....	80	150	166
	Extra service,			25
Page	Ernest H. Wheeler.....	20	100	104
	Extra service,			20
Reporter	Frank A. Small	10	300	302
	Total.....			2,097

CHAP. 239

CHAPLAINS.

RESIDENCE.	NAMES.	No. of days.	Amount for Attendance.
Augusta	Rev. Mr. Penney	2	\$4
	“ Skeele	2	4
	“ Thacher	2	4
	“ Bradlee	2	4
	“ Gledhill	2	4
	“ Gwynne.....	2	4
	Rev. Dr. Ricker.....	2	4
	Rev. Mr. White.....	2	4
	“ Sargent	2	4
	“ Libby	2	4
	Rev. Dr. Allen.....	2	4
	Rev. Mr. S. A. Allen	2	4
Hallowell	“ Holbrook	2	4
	“ Holmes.....	2	4
	“ McLaughlin	1	2
	“ Chase	2	4
Gardiner	“ Jenkins	1	2
	“ Wells	2	4
Palmyra	“ Sweetland.....	1	2
House Chaplain,	“ Randall	5	10
Augusta	“ Fuller	1	2
	Extra for chaplains,....		4
	Total.....		86

RECAPITULATION.

Members	\$5,449
Officers	2,097
Chaplains	86
Total	7,632

Chapter 239.

Resolve on the Pay Roll of the Senate.

Pay roll of
Senate.

Resolved, That there be paid out of the treasury of the state to the several persons named in the foregoing pay roll, the sums set against their names respectively, amounting in the whole to the sum of seven thousand six hundred and thirty-two dollars.

Approved March 6, 1885.

Chapter 240.

Resolve in favor of compiling and printing School Laws.

Resolved, That the superintendent of common schools be, School laws,
printing of. and hereby is instructed and empowered to cause the laws of this state, relating to common schools, to include the laws passed the present session, relating to the same, to be compiled, and five thousand copies printed and distributed among the several cities, towns and plantations in this state, the whole cost not to exceed four hundred dollars.

Approved March 6, 1885.

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE, }
AUGUSTA, April 9th, 1885. }

I hereby certify that the Acts and Resolves contained in this pamphlet have been carefully compared with the originals deposited in this office, and appear to be correctly printed.

ORAMANDAL SMITH,

Secretary of State.

NOTE.—The Sixty-Second Legislature of Maine convened on the seventh day of January and adjourned on the sixth day of March, 1885.

GOVERNOR ROBIE'S ADDRESS.

Gentlemen of the Senate and House of Representatives :

In obedience to the voice of the sovereign people, you have been summoned to this capitol as the law-making power of the State of Maine, and it becomes your duty to enact such laws as will best promote its moral, intellectual and material interests. Your presence here is the fulfillment of the popular will; and I welcome you to the honorable and responsible duties of the hour.

My re-election to the position of Chief Executive of the State is a source of great satisfaction to me, for it is an indication of the continued confidence of my fellow citizens, for which I take this opportunity to express my gratitude, although I am conscious that no acknowledgment of mine can measure the honor thus conferred. I recognize the need at all times of a humble independence upon the strong arm of a wise Providence; and in the performance of responsible executive duties, I shall also require that assistance which the experience and patriotism of the co-ordinate departments of the State government are able to render, that the people may enjoy all the benefits of a faithful and impartial administration.

The biennial period which has intervened since the assembling of the last Legislature of this State has furnished facts and data for our thoughtful consideration. Our people have been highly favored; the fearful epidemics of other lands have not visited our borders; while other portions of our country have been devastated by the fury of the elements, our State has been comparatively unharmed. We have had an abundant harvest, and there has been a reciprocal confidence and friendship throughout the nation in all the departments of trade, commerce and social life. For these and all kindred blessings,

let us, as a State, render a grateful acknowledgment to the Source of All Good; being ever ready to extend sympathy to the suffering and unfortunate everywhere, and, when necessary, the private and public material aid of a generous people.

IN MEMORIAM.

It is proper at this time that we should pause, and render a deserved tribute to the memory of three of the most distinguished Ex-Governors that ever presided over the affairs of our State. The late Hon. Lot M. Morrill passed away soon after the convening of our last Legislature, and the event was properly noticed by that body. It would seem unnecessary to enumerate the virtues of a man so well-known and so universally respected and beloved throughout our State. His private and public character is a noble example of power and excellence.

Near the pulpit of the First Universalist Church of Portland a very appropriate memorial tablet has been set up, which bears the following inscription:

IN MEMORIAM.

ISRAEL WASHBURN, JR.

Born June 6, 1813—Died May 12, 1883.

Representative to the United States Congress,

Governor of Maine,

Collector of the Port of Portland.

An honored and useful life.

The people of the State of Maine bear willing testimony to his eminent public services and high devotion to principle, for he was always found faithful. His loyal and generous acts are associated with one of the most eventful periods in the history of our State, and the memory of our late War Governor and his scholarly and patriotic words and example will endure longer than brass or marble.

Just as we were leaving our homes we were again reminded that Death is ever busy at his appointed work. Another man upon whom the people have wisely conferred their highest honors has passed away. Hon. Abner Coburn, the represen-

tative man of the best characteristics of New England simplicity, integrity and economy, is no more. Cradled in the adversities of earlier times, he has left a record of bright examples which the young men of our State may well follow. His life is a monument of great usefulness, of high public spirit and patriotism. To his financial ability, his indomitable courage and high executive attainments, more than to those of any other one man, Maine owes her central system of railroads. To his liberal endowments many of our educational and charitable institutions owe their developed power of enlarged usefulness. Called to the office of Governor during the most trying period of the late war—in 1863—he displayed firmness, sagacity and patriotism, of the highest order. His life, character and achievements are an honor to Maine, and proud is the State that can claim the birth and citizenship of such a man.

The State from time to time has made appropriations for portraits of our great men, whose public achievements and virtues entitle their memories to be thus perpetuated, and it would be well to consider what public recognition shall be accorded to these men. Appropriate and lasting memorial honors are but a just recognition of the valuable services of our distinguished statesmen, and add to the dignity and reputation of the State.

LEGISLATION.

Experience justifies the suggestion that all public questions submitted for your consideration should receive thoughtful and careful examination, and that the more important matters of legislation should command the attention of the early days of the session. I am aware that the salary which the members of the Legislature receive is inadequate for the time and money spent in the careful consideration of legislative subjects, which oftentimes seriously affect vast public interests. The pay which members receive in many instances does not meet the necessary expenses of the session. Biennial sessions in our State necessarily lengthen the term of active service of the members of the Legislature, and so far without additional compensation. The public labor incident to the present session will probably approximate that of two

ordinary annual sessions, and the just compensation of members is among the subjects which now might well be considered. We should not, however, wish to invite an increase of legislation by more liberal salaries, for change of the public laws is not always beneficial. That conservatism is to be desired which refuses to set aside the old, until something better can be substituted. Legislation is a sacred trust and should be carefully and faithfully executed ; certainty and stability should be the essential elements of all the laws of a popular government. We sometimes find in recent public enactments serious errors of expression, ill-advised and crude amendments, omissions, neglect to repeal conflicting laws, inharmonious sections and careless engrossment. These are among the deplorable results of hasty legislation. The care and time which have heretofore been exercised in our State have practically remedied these evils, but nothing should be left undone that will promote efficient legislation. In the interest of economy, I would recommend the practicability of the Legislature employing the services of a special draftsman to place in correct form bills to be passed.

THE NEW REVISION OF THE STATUTES.

The fourth revision of the General and Public Laws of the State, commenced in 1881, was completed by the Commissioner, the Honorable Charles W. Goddard, under the supervision of a legislative committee, and went into effect on the first day of January, 1884. By a wise incorporation of the legislation of 1883, the Revised Statutes now embraces the entire body of our public laws.

It is but justice to the Commissioner and to the Commission, to remark that this responsible duty has been faithfully performed, and that the work commands, as is believed, universal approval. The style of the text is concise, clear and modern, the arrangement orderly and lucid, and the mechanical execution is entirely satisfactory. After so exhaustive and careful revision of our Public Laws, which now embrace the legislative wisdom and experience of over sixty years, it is to be hoped that all unnecessary changes will be avoided by the conservatism of thoughtful legislation.

PUNISHMENT OF CAPITAL CRIMES.

It becomes my painful duty to call your attention to the fact that during the past two years an unusual number of cold-blooded murders have been committed in this State. The change in our laws in regard to capital offences has not afforded that protection to human life that was anticipated. Through the vigilance of the officers of the law, in all but one instance, the criminal has been apprehended. Five murderers have been tried, convicted and sentenced to be hung, two sentenced for life in State Prison, and others are awaiting trial. There is a sentiment among our people that executive clemency should modify the extreme penalty of the law in each case. It cannot escape the observation and judgment of the people of our State, that the Constitution sets forth that each branch of the government has special and separate duties to perform in regard to our laws; one to make, one to judge and one to execute. The will of the popular legislative branch of the State cannot be held too sacred, and its deliberate enactments require prompt and certain execution. In the revision of the law fixing the penalty for capital offences, the day of execution of a person condemned to death is now fixed and made certain by judicial authority, leaving no discretion in the Chief Magistrate, but to issue the warrant for execution. It will, therefore, be my purpose, however painful, to execute this law, unless extraordinary circumstances should demand an interference as an act of justice and mercy.

For thirty years previous to 1875, the death penalty was on the Statute Book of our State, but its execution was disregarded, except in one instance. The Legislature of 1875 made it certain whose duty it became to fix the day of execution. This change of the law was followed by warrants from the Governor for two executions for the crime of murder. We have to-day similar jurisdiction and responsibility. The law, however, providing for the death penalty, was repealed immediately following its certain execution in 1876, and imprisonment at hard labor for life was substituted. With these suggestions, I leave the matter for your serious consideration.

MATTERS SUBMITTED TO THE EXECUTIVE COUNCIL BY THE LEGISLATURE.

The question of making an abatement of the State tax of several towns, and adjusting the claims of a number of private citizens, as set forth in petitions referred to the Executive Council by the action of the Legislature, has been duly considered. Each of the parties was notified that there would be a hearing. The evidence and the facts offered were not in either case considered sufficiently conclusive to warrant the recommendation of any change in the State valuation or the recognition of any just claim for abatement.

The matter of inquiry into the practicability of building a new insane hospital, has received the attention of the Executive Council, and the report will show that nothing has been elicited favorable for such an undertaking.

The resolve for building an addition to the State House contemplated such an examination and exhibit as would show the plan, specifications and cost of such an enlargement. The report of the Executive Department of 1884, with accompanying plans and an estimate of probable cost, has been made, and will be transmitted to you in the early part of the session. I trust the importance and necessity of better and safer accommodations for the most valuable property of the State will be duly considered by this Legislature.

STATE FINANCES.

The adoption of the biennial system of legislation seems to make a review of the finances of the State for the past two years desirable in this message, and it is accordingly given in brief.

RECEIPTS AND EXPENDITURES.

The cash on hand January 1, 1883, was..... \$474,704 52

The receipts during the year amounted to 1,386,684 63

Total.....\$1,861,389 15

The expenditures during the year amounted to..\$1,773,784 96

The cash in the treasury Dec. 31, 1883, was.. 87,604 19

Total.....\$1,861,389 15

The cash on hand January 1, 1884, was..... \$87,604 19
 The receipts during the year amounted to..... 1,307,648 11

Total.....\$1,395,252 30

The expenditures during the year amounted to.. 1,202,932 89

The cash in treasury Dec. 31, 1884, was 192,319 41

Total.....\$1,395,252 30

LIABILITIES AND RESOURCES.

<i>Liabilities.</i>	Jan. 1, 1884.	Jan. 1, 1885.
Bonded debt.....	\$5,316,900 00	\$5,266,000 00
Trust funds.....	717,862 02	717,353 92
Due school district No. 2,		
Madison.....	1,000 00	1,000 00
Soldiers' bounty scrip	800 00	800 00
Balance due on school fund,		
rolls of accounts, interest		
and warrants uncalled for,		
&c	419,958 88	402,730 11
County taxes collected.....	12,400 98	11,836 17
	<u>\$6,468,921 88</u>	<u>\$6,399,720 20</u>

<i>Resources.</i>	Jan. 1, 1884.	Jan. 1, 1885.
Sinking fund.....	\$1,709,392 23	\$1,826,200 00
Uncollected taxes.....	896,587 25	873,139 18
Cash in Treasury	87,604 19	192,319 41
Balance, net indebtedness of		
State.....	3,775,338 21	3,508,061 61
	<u>\$6,468,921 88</u>	<u>\$6,399,720 20</u>

The actual net indebtedness of the State was reduced during the year 1883, \$108,334.37; during the year 1884, \$267,276.60.

Total for the two years, \$375,610.99.

BONDED DEBT.

The total bonded debt of the State, less the sinking fund,

January 1, 1883, was.....	\$4,178,715 00
" " 1884, "	3,607,508 00
" " 1885, "	3,439,800 00

Showing the very creditable reduction of \$571,207 for the year 1883, and \$167,708 for the year 1884. Total for the two years, \$738,915.

PUBLIC INDEBTEDNESS.

The net reduction of indebtedness of all the counties of the State for the year ending December 31, 1882, appears to have been \$61,436.91; for the year ending December 31, 1883, \$34,918.97; total for the two years, \$96,357.88; which is an average of \$48,178.94 per annum, or nearly one-fourth of the entire indebtedness of all the counties. The net reduction of indebtedness of the cities, towns and plantations of the State for the year ending March, 1883, appears to have been \$396,655.81; for the year ending March, 1884, \$428,368.05; total for the two years, \$824,023.86, which is an average of \$412,011.93 per annum, or about one-twenty-third of the entire municipal indebtedness of the State. The State indebtedness was reduced during the two years, 1882 and 1883, \$574,812.41, which is an average of \$287,406.20 per annum, or about one-twelfth of the entire State indebtedness.

These statements show that the people of Maine have been reducing State, county and municipal indebtedness at the rate of \$747,597.07 per annum, which is about one-eighteenth of the entire public debt, and at the same time have been increasing the taxable valuation of their estates at the rate of \$2,453,668 per annum, while the population has been increasing at the rate of 7,093 per annum. This statement indicates thrift and substantial progress, and is very encouraging.

SAVINGS BANKS.

The full and accurate report of our efficient Bank Examiner, gives a very flattering exhibit of the condition of our savings banks. There is, perhaps, no better evidence of the prosperity of our State, than the constant growth of deposits made therein for the past twenty-five years. In 1860 the deposits were \$1,466,457.56. In 1879 the deposits amounted to \$23,052,633, while at the close of the year 1884, the aggregate was \$32,913,835.10, which shows in twenty-five years a gain in deposits of \$31,000,000; in five years an increase of

nearly \$10,000,000, and further comparison shows an increase of \$3,409,945.45 over the total deposits of two years ago. The number of banks is fifty-four. The present number of depositors having open accounts is 105,680, or about one-sixth of our entire population. The average amount to each depositor is \$311.44 which is conclusive evidence that this vast loan fund is the accumulation of the increasing earnings of our industrial classes of moderate means. The laws have wisely provided that all investments should be made in securities of the highest character, and, although this direction may not secure the highest rate of interest, it is necessary for safety. The banks, however, are able to pay to the depositors four per centum, and hold a reserve fund, for the protection of depositors against possible losses, of \$1,100,000. The careful management and sound condition of the affairs of the savings banks are assured by the value of their assets, representing more than \$4,000,000 in excess of their actual liabilities; this is an accumulated profit of 12 per centum, and belongs to the depositors, when divided. The aggregate dividends paid to the depositors the past year was \$1,284,444.80; and the State has received, for taxes upon deposits as a part of our school fund, \$191,817.63 — a larger revenue than it ever before received in a single year from that source. The savings banks of Maine were never more worthy of the confidence of the public than at the present time. A system which shows such results is a great success, and measures the thrift and economy of our people. The Legislature, which, in a measure, is the guardian of the property of the people, should continue to exercise great care that these institutions are protected by wise and careful legislation, but for the present there seems to be no necessity for any change of law.

MILITARY.

The experience of the past year in several States of this Union, demonstrates that large populations are subject to internal disorders and riots, beyond the control of civil authority. The action of the General Government in prohibiting the assistance of national troops in the several States, as a *posse comitatus*, to suppress riots and secure obedience to local law, renders it imperative upon the State to provide

effectual means to protect the lives and property of its citizens from internal violence. Two regiments of the State militia, of eight companies each, one unattached company, and one four-gun battery of light artillery of two platoons, located at Lewiston and Brunswick, numbering in all 1072 officers and men as against 963 in 1883, are fully armed and equipped, and constitute a brigade under the command of Gen. John Marshall Brown, an officer of great merit. There are also five uniformed companies of reserve militia, well organized and equipped, numbering 247 officers and men. The last enrollment of our State militia numbered 94,832 men. The entire militia of the State constitutes a division and is under the command of Maj. Gen. Joshua L. Chamberlain, to whom the State is greatly indebted for its efficient military organization.

The two yearly encampments at Augusta since our last session were well attended, and the several reports of experienced army officers who were present speak favorably of the military discipline and efficiency in the school of the soldier, displayed by the several companies.

The expense of providing for the military arm of the State may appear large, but by close comparison, we find it falls short of that of other States, of less population and valuation, and in no case are we excessive in expenditure. Our military expenditure for 1883 was \$15,974.46 for 963 officers and men; cost per man, \$16.59. For the same year the State of New Hampshire expended \$25,000 for 1194 officers and men; cost per man, \$21.80. Massachusetts, \$141,836.19 for 3892 officers and men; cost per man, \$36.44. Rhode Island, \$24,000 for 1194 officers and men; cost per man, \$20.90.

In our country the sentiment of the people is opposed to a large standing army; it is therefore more important for our permanent security that there should always be a nucleus of defence in a volunteer organization. The citizen soldier of our volunteer militia should be so efficient in military science, that in the hour of danger, he may be able to impart to raw recruits that essential knowledge which proved so valuable in the recent war. Military education and discipline should be encouraged by every patriotic citizen of the

State. The day of wars is not over, history will sooner or later repeat itself, and there is no immunity from foreign or internal foes.

MAINE STATE COLLEGE OF AGRICULTURE AND
MECHANIC ARTS.

The claims of this College for continued public support may well rest upon its merits, and what it has done for the State. It has graduated 206 students. Of this number who are in active business, 11 per centum only are engaged in the so-called professional pursuits, while 89 per centum are engaged in varied industries, in which agriculture and mechanical pursuits are well represented. Quite a number of students have been, heretofore, connected with the College, whose means, unfortunately, were not adequate to complete a full course of study. The generosity of the State has lessened the burdens of such, and of many graduates from industrial homes, who have been ambitious, but could not otherwise acquire the necessary knowledge to become skillful in the practical pursuits of life. The whole number of students who have enjoyed the advantages of this Institution is 532, which does not include 92 students now catalogued in the College. The Institution has received from the State \$200,318, and there has been expended on grounds, buildings, apparatus, stock, etc., \$150,000. The appropriations from the State for current expenses have been less than \$3,500 per annum. The State of Michigan, like our own State, has taken a deep interest in its Agricultural College, and has appropriated during the past twenty-eight years for it \$609,833 in cash, or \$21,780 per annum. Of this sum about \$11,000 has been required annually for current expenses. This comparison might be extended; but it would simply show what other States are doing, and perhaps should be a stimulus, as far as our own means will permit, for our State to do likewise. The receipts from the endowment fund and tuition are not sufficient to meet the expenses of instruction and the many and necessary current expenses of the Institution. The State will be obliged to take care of this deficiency in order to preserve this valuable Institution for the advanced education of young men and women of the

industrial classes. The Trustees will ask the Legislature for additional appropriations to enlarge and increase the facilities for imparting instruction in the essential departments of the College. This is a College for the people, and should receive a popular support, and I would urge that the State give the Institution a liberal appropriation. It is gaining in public confidence, represents an important place in our system of popular education, and should be strong and progressive in all its points. I commend to your careful attention the several reports of the College.

INDUSTRIAL SCHOOL FOR GIRLS.

The Industrial School for Girls at Hallowell is no longer an experiment. Its practical efficiency as the means of rescuing from evil and placing in the way of improvement a class of helpless individuals, thereby subserving the interest of the State, has been so conclusively demonstrated, that to neglect to care for it by necessary financial aid would be unwise and improvident. Among all our reformatory and humane institutions, there is none which shows more substantial results or is supported by more economic and common sense reasons. By a series of tests and experience in various States of the Union and in other countries, the good influence of these industrial homes on the young girls who enjoy their advantages, is conceded by thoughtful legislators and humane citizens.

For some time the single building of the Maine School has been over-crowded by inmates, and new demands for admission have had to be refused. This makes necessary another edifice. The State, by its laws, provides for sending to this School a specific class of persons. The law, in this respect, cannot be obeyed unless the Institution has the requisite accommodations to receive the ".

The claim that the unfortunate girls of our State have upon public charity is certainly equal to that of the boys of the same character, who have been so liberally provided for by the State. Private benevolence from time to time has been enlisted for this Institution, and not for the other, and during the past year an earnest appeal for aid has been made by its Trustees and friends, and thereby about \$7,000 has been

secured. This is in addition to the \$13,500 contributed from private sources and expended on buildings now in use. The new private subscription has been used, under the direction of the Trustees, to build the foundations, walls and roof, and to finish the exterior of a substantial edifice of granite and brick. When the new home shall have been completed and organized, Maine will have a humane and educational institution for the present and future generations, of which the State may be justly proud. The first building was erected ten years since by private aid and the grant of an equal amount of financial assistance by the State. I would, therefore, recommend that the Legislature give the subject due consideration, and that the necessary sum to complete and furnish the new edifice be appropriated, which can be but little larger than the amount private individuals have already contributed for the purpose.

REFORM SCHOOL.

The affairs of the Reform School are under efficient management, and are administered with commendable discretion and fidelity. The teaching appears to be thorough and practical, both in the school-room and workshop.

The health of the boys for the past two years has been remarkably good. The average number in the School has been about 100. No obligation imposed upon the State is more sacred, and no one should be more cheerfully performed, than the care, education and reformation of the youth who have taken their first steps in crime, almost entirely by the force of circumstances or inherited tendencies. It is earnestly hoped that the finances of the State will allow all necessary means and appropriations for the full and complete development of our reformatory system and institutions, so essential to the inmates and to the welfare of the State. The law of the last Legislature, providing for the establishment and maintenance of a Mechanical Department at the Reform School, in which boys can be instructed, has been compiled with, under the direction of a committee of the Executive Council. Instruction in this department commenced December 21, 1883, under the charge of a competent mechanic, in a building erected for the purpose, judiciously equipped with

benches, tools and machinery, and capable of accommodating twenty-four boys. The results, and the proficiency made by the boys, in this department, seem fully to vindicate the wisdom of the law establishing it. An exhibit of the articles manufactured by the boys was made at the State Fair, at Lewiston, in September last, and was highly complimented by those who examined them. The same have been forwarded to the New Orleans Exposition for exhibition. With competent management and suitable support from the State, it is believed the new department will be a success, although it may still be regarded as an experiment. Its cost has been within the appropriation for its establishment and maintenance for the first two years.

The law providing for the appointment of a Visiting Committee to this School, and defining the duties and powers of its members, is found to be conducive to the efficient management and discipline of the Institution. In order to redeem and save its wayward boys from ruin, it becomes the State to adopt the best means to secure their reformation. If a State, in its guardianship, fails to render every practical facility to improve the young men entrusted to its care, and sends them out into the world to pursue a course of crime, to a certain extent it is responsible for their offences. It is generally conceded that no other system has been devised which has given such satisfactory results as the family or cottage plan, where the opportunity is afforded to classify the boys so as to insure safety for the weaker and less hardened. It places the inmates under the constant and immediate care of the officers in charge of a family, and distributes them in such a manner as to enable these overseers to become personally interested in each member, and to adopt means of reform adapted to the peculiar needs and requirements of every individual. It is the only system by which boys can be brought directly to the good and kindly influences incident to a christian parental home. It is important that this subject should be wisely considered and acted upon.

The water supply of the Institution is insufficient and that from some sources is impure, and in case of fire the quantity would be sadly inadequate. The sources for obtaining a sufficiency of pure water on the premises are seemingly wanting. To supply this important need the most feasible and

and economical method is the introduction of the Sebago water. Ventilation, additional facilities for steam heating, repair of buildings and farm improvements are also much needed.

Various subjects relating to the School are carefully considered in the reports of the Trustees, Visiting Committee, and Superintendent for the past two years, to which the careful consideration of the Legislature is respectfully invited.

The purposes for which special appropriations are needed, in the order of their importance, and the estimated cost of each, are herewith submitted :

Sebago water and piping of building.....	\$7,000
Ventilation.....	500
Two family houses, furnished complete.....	10,000
Steam heating facilities.....	2,000
General repairs of buildings and farm improve- ments	3,800
	<hr/>
	\$23,300

The regular annual appropriations of \$13,000 for two years (1885-6) including \$2,000 for each year for Mechanical Department.....	\$30,000
	<hr/>
Total.....	\$53,300

INSANE HOSPITAL.

This Institution has always commanded the generous support of the State. It presents to-day a substantial and imposing structure of granite and brick, which is complete with all the modern improvements which science and experience have devised, for the cure, or amelioration, of the condition of the insane. It is a proud monument of the humane benevolence of a great State, and is the aggregation of the public contributions of forty-four years. We now have provided all that seems necessary for the wants of the insane of the State for many years to come. The Trustees have built during the past two years two new pavilions, capable of accommodating about one hundred patients, and giving an opportunity for a better classification. The necessity for a full completion of the buildings required an expenditure of \$13,-

443.44 in excess of the appropriation of \$40,000. The detailed accounts show the expenditures have been carefully and economically made, and the present financial condition of the Institution is an improvement over that of 1883. The receipts of the Hospital for the past year have been \$100,000, and the disbursements \$97,000. The present resources are \$51,291.84, and the liabilities \$30,513.58, leaving the net resources \$20,778.26, as against \$18,116.63 in 1883. The number of patients December 1, 1884, was 460, the same number as in 1883, but the whole number under treatment during the year was 667, of which number 207 have been discharged. The several reports of the officers show that the condition and discipline of the Institution are of a high order and that the Superintendent has faithfully discharged his onerous and responsible duties. The Hospital is considered to be one of the best in the country. The several carefully written reports of its officers will give the members of the Legislature full and accurate information, which should guide you in your action.

HOME FOR SOLDIERS' ORPHANS.

The appropriation for the Bath Military and Naval Orphan Asylum for the past two years, amounting to \$14,000, has been fully expended for the orphan children of the soldiers and sailors of the State. There are 52 children under its care, and as the number of orphans coming under the provisions and requirements of the present law as competent for admission is constantly diminishing, it becomes apparent that a broader jurisdiction as a basis for membership is necessary in order to fill the Institution up to a proper and economic standard.

The school has been well managed and is deserving of the continued assistance of the State.

STATE PRISON.

The State Prison at Thomaston appears to be in better condition, so far as cost to the State is concerned, than for many years. It is not expected that it will soon become a self-supporting Institution, but considerable progress has been

made in that direction since the present Warden has been in charge. From 1858 to 1880 the average annual cost of the Prison to the State was upwards of \$22,000. In 1880 it was \$24,551; in 1881, \$16,754; in 1882, \$14,742; in 1883, \$10,510; in 1884, \$9,200. The earnings of the convicts in 1884 would pay the salaries, pay-roll and all the incidental expenses of the Prison amounting to \$17,350, leaving a balance of only \$9,200 for the State to pay, which is a decrease of \$15,351 as compared with 1880.

During these years of financial improvement, the health and general condition of the prisoners have been steadily maintained, so that a case of sickness among them is exceptional. The total loss by sickness in the hospital during the entire year has not taken from the aggregate of labor the service of one convict for three hundred days.

At the present time there are but two departments of work carried on within the walls of the Prison, and those are harness and carriage making. The work done by the convicts in both of these departments is of excellent quality, and finds a ready sale, and the Warden manages to sell much of it outside the State. The amount of work done by the prisoners is not so great as would be done by the same number of free men, but suitable manufacturing serves the double purpose of keeping the men employed and of reducing the expense of the Institution to the State. In 1883, the profit upon the Harness Department was \$1,702.71, and in 1884, \$3,390. During the same years the profits of the Carriage Department were \$13,004.57 and \$13,800, making a total profit of both departments in 1883 of \$14,706.28, and in 1884 of \$17,190. From these figures it appears that the convicts earned in 1883 an average of \$98.70 each, and in 1884 an average of \$111.68, while the expense of subsistence of each convict was \$44.24 in 1883, and \$43.39 in 1884. The average amount earned by the prisoners actually employed in these two departments was considerably above the figures I have mentioned, the general average suffering a great reduction because of the large number of men who are capable of earning comparatively little. The total net assets of the Prison at the close of 1883 were \$91,435.35, and at the close of 1884, \$102,672.61.

During the past two years the Governor and Council have made several visits to the Prison and personally examined its condition, and listened to whatever complaints the prisoners have desired to make. The discipline of the Prison has been found excellent. During the present year it will be necessary to provide for the erection of one or two new buildings for shop purposes, as those now occupied are rapidly becoming untenable and annually require repairs which, no matter how thoroughly they may be made, are of but temporary benefit, on account of the condition of the rest of the buildings. A statement of the Prison's needs in this direction will be found in the annual report of its officers, which will be laid before you.

The number of new convicts received at the Prison in 1883 was 70; number discharged, 44; making the total number in the Prison at the end of the year, 160. The number received in 1884 was 52; number discharged, 49; making the total number in the Prison at the present time, 163.

RESOURCES OF THE STATE.

The natural resources of a State are important subjects for consideration, a correct knowledge of which is necessary that proper legislation may be secured. Agriculture furnishes limited encouragement for a livelihood when unaided by other industries, but as a result of enterprise and provident care we find the three important elements of general prosperity, agriculture, manufactures and commerce well represented and prosecuted in our State, and grouped together, they are fit monuments of our power and wealth.

AGRICULTURE.

It would seem unnecessary to occupy your time by a lengthy dissertation on the importance and value of agriculture as the leading industry of our State. The claims and interests of nearly eighty-two thousand farmers, and the diversified interests of sixty-four thousand farms, on which are living nearly one-half of our population, practically depending on their labor, and the products of the orchard, field and forest, for a livelihood, are worthy of your highest

consideration and thoughtful care. President Lincoln, in his first message to Congress, uses these words: "Agriculture is confessedly the largest interest of the Nation," and it is certainly the largest interest of our State. While this is true there should be no assumption of superiority, which seeks the injury of other interests. All of the great industries of the State are dependent upon each other; and in its progressive development, they are under an equal yoke, moving on, mutually upholding, supplementing and stimulating each other. Agriculture, however, sets in motion the sails of commerce and the wheels of the manufacturer, and is primarily the source of general prosperity, but we find there is a mutual compensation in a friendly relationship. And how shall this great industry be advanced? Recent railroad facilities, and the introduction of many new and profitable industries offer enlarged inducements to the immigrant to speedily occupy the great agricultural region of north-eastern Maine. In our extensive sea coast, broad domain and rushing rivers we have all the resources for sustaining a vast population, and there should be no lack of proper legislation to stimulate and protect individual effort by the dissemination of accurate information and statistics. What additional legislation is necessary to promote general agriculture and to facilitate the settlement of the wilderness portion of our State, is wholly within your power to determine.

Statistics show that our State is especially adapted to the three leading branches of farming, stock raising, dairying, and fruit growing, and the active prosecution of these branches should be stimulated by the favorable conditions by which we are surrounded. Associated capital by our farmers in several industries, as dairying, manufacture of potato starch, canning of vegetables and other productions of the farm, has wonderfully increased the aggregate of cash receipts from our agricultural resources. It appears in the last census, that we received a credit for making over 14,000,000 lbs. of butter, the production of which is estimated to have increased the present year to over 20,000,000 lbs., worth at least \$5,000,000 and equal to the value of our shipping in 1879. Special kinds of farming should receive special attention in order to secure larger profits and suitable encouragement, and it should be the aim of all who have the welfare of the State

in view, to encourage and stimulate these interests in every legitimate way, and if need be, to the extent of the enactment of laws and the appropriation of public money. Manufacturing and trade have been specially protected by the laws of the Nation, and the great public have willingly contributed, through the revenue department, vast sums of money for their direct protection. Agriculture, the prime source of wealth, has struggled comparatively alone, and has been content in making humble demands, while it has superior claims. I would recommend the continuation of all the usual appropriations for the advancement of agriculture.

AGRICULTURAL EXPERIMENTAL STATION.

The development of progressive agriculture is hastened by experimental work. It cannot be conducted successfully by the voluntary efforts of our farmers, for they do not possess the ordinary means and appliances for experimental investigation. The pecuniary burden which becomes necessary to cover the field and the requirements of agricultural experiments, is too large for any one industry. The best and most economical way to feed and clothe the public, interests every citizen, and is worthy of your careful consideration. The claim of the public, rather than that of the personal farmer, as an economic question, is involved in the result. Experimental work performed at public expense, and made the common property of all, is reasonable and vastly more economical. The State, as well as the farmers, needs an experimental station, which the people asked for two years ago. I hope it may be found practicable to unite it with what is being accomplished on the farm of the State College. We need at Orono a model farm, where may be represented the best breeds of milch and beef cattle and the best varieties and kinds of sheep and swine. There should be, in a reasonable way, every kind of machinery and farm tools for preparing the soil and doing all that is necessary, in a profitable manner, to bring the largest crops into the harvest home. The relative value of different foods for cattle, and how prepared, is an interesting question. There are experimental stations in New York, North Carolina, New Jersey and other States, but the soil and the productions of every State are

not the same. We desire the analysis of our own soil ; we need experiments on the planting, culture and harvesting of the productions of this northern latitude, and a careful tabulation of the results for public distribution. Such a farm should be an agricultural blackboard, whereon may be written, and exemplified by practice, the requirements and results of scientific farming. The final result of experimental agriculture, when generally understood, is valuable and profitable knowledge for every farmer in the State ; and also when practiced and utilized on the farm becomes one of the sources of public wealth. The adulteration of the commercial fertilizers, now so largely used, demands a most rigid inspection. The farmer needs the protection of law to escape the fraud and imposition which has been successfully practiced, and the ready means to detect these nefarious practices is one of the purposes of the experimental station. The cash paid annually by our farmers for fertilizers has already reached the sum of \$250,000. A suitable revenue should be collected by the State from manufacturers and dealers in fertilizers to defray a part at least of the cost of inspection. I would call your attention to the many petitions of our farmers for an experimental station, and trust the matter will receive your special consideration and favorable action.

I would also call your attention to the vast stock interests of the State which are increasing very rapidly, and ask your careful consideration of our laws in order that every protection shall be given against the serious consequences that would follow the introduction of contagious cattle diseases which have been so destructive in other States. The appointment of a State veterinary surgeon, and a revision of the laws prescribing the duties of cattle commissioners, and enlarging their powers, is worthy of your consideration.

Associated efforts in dairying and in the growing of fruit have been productive of great advantages to our farmers. The State Dairyman's Association and the State Pomological Society are valuable means for the dissemination of knowledge. Active work often ceases for the lack of encouragement. The magnitude of these interests demands that there should be a sufficient appropriation to pay the necessary expenses of such valuable organizations.

INDUSTRIAL AND MANUFACTURING DEVELOPMENT.

During the past two years investigations have been made to ascertain the relative position of Maine as a manufacturing and agricultural State. These inquiries show that Maine during the last twenty years compares more favorably with other States as to manufacturing than in respect to population, for, while she has fallen during this period from the twenty-second to the twenty-seventh position among the States in respect to population, she has only fallen from the thirteenth to the fifteenth in respect to her manufactured products. The great West has been calling for the better classes of people from the eastern States to develop her boundless resources, and Maine has responded liberally. But when we consider that the vast tide of foreign immigration has been the chief source of increase of population of the States that have gone ahead of Maine, and thereby created the great Western Empire, we have reason to congratulate the old Pine Tree State on the stability of its inhabitants, and their successful endeavors to develop the resources of their own State. To better illustrate Maine's position in the roll of States the following table is introduced, which will show the changes that have occurred in population and manufacturing during the past four decades :

MANUFACTURING STATISTICS.	1850	1860	1870	1880
Number of establishments....	3,974	3,810	5,550	4,481
Capital invested	\$14,669,152	\$22,044,020	\$39,796,190	\$49,988,171
Average No. hands employed..	28,020	34,619	49,180	52,954
Wages paid during year.....	\$7,485,588	\$8,365,691	\$14,282,205	\$13,623,318
Value materials	\$13,553,144	\$21,553,066	\$49,379,757	\$51,120,708
Value products.....	\$24,661,057	\$38,193,254	\$79,497,521	\$79,829,793
Population.....	583,169	628,279	626,915	648,936

These figures show the following increase in manufactures and population during the past twenty years: Number of establishments, 13 per cent increase; capital invested, 127 per cent; average number of hands employed, 53 per cent; in wages paid, 63 per cent; value of materials used, 137 per cent; value of products, 109 per cent; population, 3.3 per cent. In view of these figures, I would recommend that any legislation, having for its object the development of the natural resources of the State, be as favorably considered as justice to all persons interested may allow. The more manufactures can be developed in any locality, the more valuable all the property in the neighborhood becomes. Manufacturing and agriculture go hand in hand, and wherever a new establishment is located, the better becomes the market for the farmers residing thereabout. This fact is easily proved by comparing the value of the farms in the manufacturing counties with those in the other parts of the State. The principal manufacturing counties are Androscoggin, Cumberland, Kennebec, Penobscot and York. In the first named, farms average \$2,053 in value, while in Aroostook County they only average \$888 in value. So in Kennebec County farms average \$2,034 in value, while in Oxford they only average \$1,500. The value per acre of farms in all the manufacturing counties is \$22.12, and in the other counties, \$12.14. The above comparison by counties has been chosen at random from the several counties of the State, but will serve to show how intimately farming and manufacturing are connected.

From returns received by the Secretary of State, for his annual volume of statistics, I derive the following information: There was an increase of spindles in the cotton mills in the State in 1883, as compared with 1880, of 90,261, and of employes, 3,039. During the past year 6,852 spindles have been added. At the commencement of the present year, woolen manufacture generally, was in a very depressed condition, but later in the season there was marked improvement, and the mills of this State have done, on the whole, a lucrative business. The amount of starch manufactured this season is larger than ever before, the product being 7,385 tons. Several new factories have been erected. The granite business has been well sustained; the product of the slate

quarries has been increased over last year; and the yield of lime kilns has nearly equalled the large product of 1883. The lime manufactured in Knox County numbered 1,495,852 barrels in 1883, and 1,478,996 barrels in 1884. The manufacture of leather still remains in a very unsatisfactory condition, and that of lumber has fallen off somewhat; the cut of logs on the principal waters being about 17 per cent less in 1884 than in 1883. Boot and shoe manufacturing made a marked improvement in 1883, and has maintained its prosperous condition the past year. I am also able to state that although there has been a general and wide-spread depression in business throughout the country, it has affected our own material interests only to a limited extent.

COMMERCE.

International trade and commerce, under the sharp competition now existing among civilized nations, have at no time in the history of business relations between nationalities, ever excited so great interest as at the present period. The commerce of foreign countries in comparison with our own has reaped great advantages even in our own carrying trade; to remedy which requires prompt action and wise statesmanship.

The tonnage of foreign vessels entered at sea-ports of the United States the past year amounted to 11,688,209 tons, or about 80 per cent of the whole amount, while that of the United States vessels was represented by only 2,834,681 tons, or 20 per cent. We are paying an enormous tribute to England for transportation for which we receive but little consideration or recompense. The statistics of the past two decades show a steady decline of American shipping, and the fact stares us in the face that foreign ship owners are practically doing our carrying trade. This is not consistent with the high position the United States holds as leader of the world, possessing as it does superior advantages in extent of territory, variety of climate, fertility of soil, quantity of production, unequalled harbors, and supplemented by the intelligence and the acquirements of a vast population.

The remedy can be found only in the energy and efficiency of the American shipbuilder, aided by proper national pro-

tection. We desire that there may be created a commercial navy to be owned by our own capital and officered by American captains. In a question of such vital importance, the State of Maine should take great interest, for a large portion of her former glory and pride was her interest and triumph in commerce. Her national legislators should continue foremost as they have been heretofore instrumental in directing public sentiment to this question, to the end that all unnecessary burdens may be removed, so that a portion of our capital and labor may be devoted, as formerly, to the greater development of one of our most natural industries.

In this interest, Maine has been of late years more favored than most other States. According to the census of 1880, the number of vessels of all rigs, including steamers, owned in the State was 2,674, having a capacity of 509,284 tons; according to the returns received from collectors of customs at the office of our Secretary of State for the year ending September 30, 1883, the number of vessels was 2,899, having a capacity of 626,122 tons; and for the year ending September 30, 1884, the number of vessels was 2,868, having a capacity of 628,954 tons. This shows an increase of capacity for 1883 over 1880 of 18,837 tons; an increase for 1884 over 1883 of 832 tons, and an increase for the four years of 19,669 tons—which is an average of 4,917 tons per annum.

There appears to have been a gain of 3,145.37 tons in vessels belonging in the State employed in the fisheries, in 1884 as compared with 1880—an average of 786.34 tons per annum.

Maine has also been greatly favored by the enterprise exhibited by its ship builders. The tonnage of vessels of all rigs built in Maine annually since and including the year 1880 is as follows: 1880, 35,847.15; 1881, 58,992.93; 1882, 75,084.91; 1883, 74,708.13; 1884, 46,401.87.

STATISTICS.

In 1873 a resolve was passed by the Legislature authorizing the collection, arrangement and printing, under the direction of the Secretary of State, of statistics relating to all the departments of labor, together with the valuation and appropriations of the several cities and towns of the State.

Under this resolve a volume was compiled in 1873, but no subsequent appropriation was made until 1883, when the subject was revived in accordance with a suggestion in the Executive address. A volume has been compiled and printed for 1883, and one compiled for 1884 which is now in the hands of the printer. From these volumes valuable information is gathered, and I respectfully recommend an appropriation for continuing the work.

POLLS AND ESTATES.

By returns received from nearly all the cities, towns and plantations of the State it appears that there was an increase of taxable polls for the year ending March, 1883, of 2,036, and for the year ending March, 1884, of 1,495; total for the two years, 3,533. This indicates an increase of 8,762 in population for the former year, and 6,425 for the latter year, making a total increase of 15,167 in population for the two years or an average increase of 7,093 per annum. There also appears to have been an increase in taxable valuation of estates for 1883 of \$3,894,855, and for 1884 of \$1,022,482; total increase for the two years \$4,917,337—an average of \$2,458,668 per annum.

Comparatively few people in Maine, during the past year, have unsuccessfully sought employment, and cases of suffering from enforced idleness have been infrequent. There has been a gradual reduction of prices of manufactured articles, imports and farm products, and a scaling down of wages has followed as a matter of course.

The State of Maine deserves better treatment and more generous encomiums than it often gets from many of its sons. No equal number of population can boast of a larger number of comfortable and happy homes. In no State in the Union is there less suffering from poverty, and in none are there more facilities for earning a livelihood. Large fortunes are rare and cannot easily be secured in Maine, but industry and thrift are sure to bring the comforts of life. We cannot too constantly impress these facts upon public attention.

EDUCATION.

The steady progress Maine has made in its school system since she became an independent State, is one of our sources of pride and power. There is not a large town in the State, but has adopted a graded system, and everywhere there have been increased facilities for a higher education. The untiring devotion and zeal of the educators of the youth of our State, not only to perfect themselves, but to develop a progressive system of instruction and school work, has added very much to the efficiency and results of popular education. Normal school discipline has given us more mature plans and methods of instruction and teachers better able to instruct in an advanced and more liberal course of study. The intelligence of a nation is a guarantee of its perpetuity, and as a rule the higher the degree of intelligence the more progressive is the State.

I herewith submit a table of statistics prepared with great care, which, better than words, indicates the status of our educational system and the progressive attainments of our State, and which, when compared with earlier times, shows surprising advancement.

STATISTICS SHOWING EDUCATIONAL PROGRESS FOR
SCHOOL YEARS 1881-2 AND 1883-4.

COMMON SCHOOLS.		1881-2.	1883-4.
I. <i>In popular interest as shown by Expenditures and Appropriations:</i>			
1. Current expenses for common schools		\$952,349	\$1,020,082
Gain, \$67,733			
2. Total expenses, including supervision of new school houses.		\$1,081,834	\$1,134,050
Gain, \$52,216.			
3. Amount of school money voted by towns		\$641,484	\$667,970
Gain, \$26,486.			
II. <i>In character of teachers:</i>			
1. Number of different teachers employed.....		7,797	7,448
Decrease, 349.			
2. Number of graduates from normal schools.....		532	582
Increase, 50			
3. Average wages of male teachers per month		\$29.59	\$32.59
Increase, \$3.00, or 10 per cent.			
4. Average wages of female teachers per month.		\$14.60	\$16.28
Increase, \$1.68, or 11½ per cent.			
III. <i>In reducing number of school districts and schools:</i>			
1. Number of towns having no school districts		41	54
Increase, 13.			
2. Number of school districts in State		3,996	3,865
Decrease, 131.			

COMMON SCHOOLS.		1881-2.	1883-4.
3.	Number of different schools	4,955	4,767
	Decrease, 188.		
4.	Number of ungraded schools	4,186	3,999
	Decrease, 187.		
IV. <i>In work done in schools:</i>			
1.	Number of ungraded schools having classes in history..	2,037	2,151
	Increase, 114.		
2	Number having classes in physiology.....	1,059	1,211
	Increase, 152.		
3.	Number having classes in book-keeping	1,351	1,430
	Increase, 179.		
4.	Number having classes in studies not required by law..	1,282	1,205
	Decrease, 77.		
FREE HIGH SCHOOLS.			
1.	Number of towns having free high schools.....	109	123
	Increase, 14.		
2.	Total amount expended for same.....	\$88,372	\$92,373
	Increase, \$11,001.		
3.	Amount of State aid paid.....	\$19,250	\$21,888
	Increase, \$3,638.		
4.	Aggregate number of weeks of school.....	2,635	3,140
	Increase, 515.		
5.	Whole number of pupils in school.....	10,374	9,751
	Decrease, 623.		
6.	Average attendance.....	6,703	7,733
	Increase, 1,030.		
7.	Number of teachers instructing our schools.....	571	782
	Increase, 211.		
NORMAL SCHOOLS.			
1.	Number entering:		
	Gorham	46	38
	Farmington.....	51	61
	Castine.....	96	106
	Totals.....	193	210
	Increase, 27.		
2.	Number graduating:		
	Gorham	28	30
	Farmington.....	20	30
	Castine.....	35	19
	Totals.....	83	79
	Decrease, 4.		

But while studying the condition and needs of Maine, it is well to look at the work being done in other States, to ascertain whether we hold by comparison an advanced position on the roll of popular education. The common school system of New England is the oldest and best in the Nation, and for this reason I have prepared, from the reports of the last census, the following table to show Maine's standing with the rest of New England, as regards school attendance and the cost of education per scholar :

STATES.	Per cent of attendance.	Average expenditure per scholar daily attending school.	Average length of schools.
Maine71	\$9.28	5.72 months.
New Hampshire.....	.76	\$11.76	5.63 "
Vermont.....	.64	\$9.55	6.37 "
Massachusetts.....	.74	\$20.03	9.04 "
Rhode Island65	\$19.02	9.21 "
Connecticut.....	.61	\$18.36	8.92 "

The per cent of attendance, as compared with the average expenditure per scholar, and the length of the school year, shows a rigid economy practiced by those expending the funds entrusted to their care, and a healthy educational interest among the scholars of the State. Our State should endeavor to help fit our teachers for their work that they may be encouraged to make teaching a profession, instead of a stepping stone to some other occupation. The normal schools have been a potent influence in securing to the schools a better class of teachers, and it is to be deplored that Maine cannot offer graduates as attractive salaries as other States do, that their services may be retained where they are so much needed. By careful inquiry and from reliable statistics, I am able to state that three-quarters of the amount of teaching done by the normal graduates from our own schools has been done in Maine, and nearly one-half has been given to the ungraded schools, and the larger portion of this kind of service has been employed in the schools of country towns. The Governor and Council have repeatedly attended the several examinations of our normal schools, and are able to furnish the most favorable reports of the efficiency of their teachers, and the scholarly attainments of pupils. The full report of the work done by these graduates is included in the report of the State Superintendent of Schools for 1883. I would recommend that the appropriations of the last session be continued.

FREE HIGH SCHOOLS.

The total amount expended for free high schools during the year 1884 has been \$99,373.28, of which amount the State has paid \$21,888.35, which was distributed among 123 cities and towns, for educating 9,751 pupils in the higher branches.

These schools of the State have also been influential in securing a better corps of teachers, and even in this respect alone have proved the wisdom of the State in providing for their maintenance as a part of the public school system. By their establishment the lower schools have been relieved of a class of scholars that had passed beyond the proper limits of work in those schools, and many of the students attending the free high schools are encouraged to continue their studies after leaving the public schools, and so obtain a higher education than they would otherwise secure.

Among the recommendations urged upon school officers by the State Superintendent of Schools for the improvement of the common schools are the securing of better instruction, uniformity of text-books, more systematic work, and the abolition of the district system. The needs and effects of these changes are carefully discussed in his annual report to be laid before you, and are worthy of thoughtful legislation.

DEAF, DUMB AND BLIND.

Every application for benefit from the public appropriation in aid of the education of the deaf, dumb and blind of our State has been honored, and no one of this unfortunate class is denied the privilege of being instructed in the common branches of an education, and, in many instances, in the essentials of a suitable trade for future livelihood. The State owes every child within its borders an education, and this class enlists the tenderest sympathy of humanity. The several institutions and schools which are patronized by the State, are the best in the country, and our boys and girls are among the most advanced scholars, and appear to be contented and happy, and are making great improvement. The following table gives such information as the public may desire to know :

Name of Institution.	No. of Maine Beneficiaries.	Amount paid for 1884.
Portland School for Deaf	41.....	\$6,956.25
American Asylum for Deaf	21.....	3,685.21
Perkins Institute for Blind.....	16.....	4,225.00
Total	78.....	\$14,866.46
Total amount appropriated by the State for Deaf, Dumb and Blind.....		
		14,000.00
Amount of deficiency		\$866.46

The whole number of State beneficiaries of the deaf, dumb and blind, during the current year is seventy-eight, and the deficiency in the appropriation for the year is owing to the increase in the number of such beneficiaries over those of last year. About \$1,000 of the appropriation for 1883, not having been drawn within that year, lapsed into the State Treasury, and some existing indebtedness of last year has been paid from this year's appropriation. There are many deaf and dumb children in the State not at present attending any institution, and the applications from such cases are on the increase. It cannot be doubted that it is wise policy upon the part of the State, to use every means to gather up and educate this unfortunate class of its people, and the appropriation for such beneficiaries should be increased to \$16,000.00 for the coming year, as that amount is very sure to be needed.

The pupils in the Portland school appear to be making great advancement, and it is becoming a popular institution among our people. The amount allowed by the State for each pupil is \$175 a year, which does not pay the expense of their education, and where there is a number of deaf mutes in any family the excess to be paid by the parents or guardians becomes burdensome, and I would therefore recommend a change of the law to meet such cases.

STATE PENSIONS.

The laws of the State make it incumbent upon the Governor and Council to distribute an annual appropriation for disabled soldiers and seamen. It is a proper appreciation of the valuable public services of the needy and invalid soldier who fought on land and sea for our country and homes. It is a debt we owe, and let us never neglect a loyal obedience to duty in providing for the suffering wants of the soldier's family; a sacred promise made and reiterated at the time when the volunteers went forth to endure the sacrifices of the tented field, the hospital, the prison house and the shock of battle.

The appropriation for 1883 and 1884 was \$20,000 for each year. During the year 1883, \$19,818.46 was carefully paid out to 571 State pensioners, as follows, viz: To 283 invalids, 168 widows, 83 mothers, 27 fathers, nine guardians of adult and orphan children, and one dependent sister. The number of applications disallowed in 1883 for want of sufficient evidence, and not coming within the provisions of the law, was 234. During the year 1884 the number of applications received was 742. The number making application for the first time was 140, and of the total, 225 do not receive United States pensions. The appropriation of 1884 was exhausted. I find on examination of the books of the office that the number of applications received from year to year has varied but little during the past ten years. Many of the old cases hold on, some drop out, but new ones readily take their places. It is now nearly twenty years since the war closed, and but few soldiers are under the age of 40 and some are upwards of 60. Another score of years will remove from human sight nearly all the familiar faces of those who have immortalized the Army of the Republic and saved this Nation, and soon approaching generations will be acquainted with the victories and defeats of the last war only as written on the page of history. Let our own generosity, as the fruit of personal observation, be the source of future commendation, for the opportunity of aiding the distressed but worthy veterans, is fast passing away. As age creeps on, the disease contracted or the injury received by the veteran in the service of his country naturally increases, and the soldier who had the seeds of disease sown in his system during his exposure to a

southern climate is now feeling its increasing effects. The soldier's widow, who has barely supported and educated her family without assistance, is now in many instances restricted or enfeebled by age. The State gives those needy cases from \$1.00 to \$8.00 per month, the average being about \$3.00. I find from information received from many sources that the small amounts thus distributed go a great way and keep many a soldier, widow, dependent mother and father from suffering and from the house of public charity.

I recommend that the appropriation be made sufficiently large to meet all cases of distress; this will probably require an amount larger than the appropriation of last year.

FISH AND GAME.

The exercise of the authority of the State in protecting its fish and game, has required an annual appropriation of \$7,500, which in a series of years aggregates a large sum. The reports of the Commissioners, however, assure us that there has been an adequate recompense to the State. From information received from responsible parties, I feel sure that our fish and game laws have been serviceable in propagating fish in our lakes and rivers, also in increasing the amount of game in our forests, which in former times was so abundant.

The police regulations have been well enforced, and the market men of the great business centres have had no opportunity, and it is noticeable they do not, at unseasonable times, venture to transport or offer our wild game to their customers. It is to be hoped that this increase of fish and game, so well established, may in future time be a source of sustenance for our people, and of revenue to our State in a variety of ways.

There is much complaint about the close time and the improper taking of lobsters for markets out of the State, which may need additional legislation. I call your attention to the full and valuable reports of the Commissioners for the past two years.

INDIAN TRIBES.

The annual appropriation for trust fund, schools, agriculture, bounty on crops, and annuities, which has been paid by the State, forms a part of our treaty obligations and otherwise constitutes a worthy charity. The Legislature of 1882

appropriated annually to the Passamaquoddy tribe of Indians \$5,690.01; to the Penobscot tribe, \$8,709.70.

The Governor and a committee of the Council have made an annual visit to these tribes for examination, information and advice; and these interviews have appeared to be mutually satisfactory. The funds appear to have been judiciously applied. There has been a wonderful change in the moral and intellectual condition of the Indians of our State, and many who are advancing to manhood would make intelligent voters. This is more obvious among the population located at Oldtown, where the scholars show as much proficiency and as good manners as the average scholars in any school of equal size in the State. The faithful services of the Sisters of Charity, who have assiduously devoted their time and energies to the education and moral training of the young Indian with such signal success, are deserving of public recognition. The Right Reverend Bishop Healy of Portland, and the Catholic priests of Eastport and Calais, have been assiduous in their labors for the moral and material advancement of this community, with gratifying results, and I would recommend an increase of pay of the priests, which now does not meet their travelling expenses.

The sale and use of intoxicating liquors are the cause of much mischief among these children of the forest. I am advised, as no Indian has legal authority to make arrests, and the town constables are oftentimes miles away, that much wrong is done before the law can touch the offenders. I would, therefore, recommend that the Legislature confer upon the Governor and Council the authority to appoint a reliable and well commended Indian as special constable to enforce, in the customary way among the several tribes, the usual police regulations of towns for the promotion of law and order.

As the amount of land now possessed by the Passamaquoddy tribe is very limited, I most earnestly recommend the purchase of more land for gardening and pasturing, that the Indians may have an opportunity to raise a suitable amount of vegetable diet for the adults, and to furnish milk for the children.

RAILROADS.

The reports of the Railroad Commissioners for the past two years will be laid before you, and I congratulate the State that there are such good reasons for commendation of the very acceptable manner in which the railroad service of the State has been administered. We have in the State of Maine 1,148.82 miles of railroad, an increase of $83\frac{1}{2}$ miles during the past two years. It seems that the public are very well served and there is little ground for complaint. Our railroad system is continually developing and bringing to the front the hidden resources of our State and thereby adding to its general wealth and prosperity. The official reports from all the principal roads bear evidence of increasing business and better service. The State of Maine has abundant reason to thank the efficient direction of the Maine Central Railroad Company that it has stretched its arms into so many distant localities and opened new channels for commerce and trade. This company operates 524 miles of road and is wholly within the limits of the State. I have been officially informed by one of the officers of the road that during the year ending October 1, 1884, there were moved over this road 230,000 freight cars—an average of 731 for each working day. The number of tons of freight transported was 760,000 on which the gross earnings were \$1,475,844. In the schedule of freight, the agricultural productions of our own State were well represented by 6,600 car-loads of hay, 1,050 car-loads of potatoes and 12,500 car-loads of lumber, &c., &c. The car-loads of hay average ten to eleven tons; the car-loads of potatoes average 500 bushels. This exhibit compares favorably with previous years and shows that the agricultural productions of our State are seeking the great central markets.

The total earnings of the Maine Central Railroad were :

	GROSS	NET.
Oct. 1, 1882, to Oct. 1, 1883,	\$2,835,494.66	\$995,787.86
“ 1, 1883, “ “ 1, 1884,	2,816,372.40	1,065,569.04

showing an increase of net earnings of \$69,781.18 for the year 1883-4. Let us rejoice at the prosperity of all our railroads, and simply ask that the great public receive all the

rights to which they are justly entitled. I would recommend such amendments to the railroad law as may be conducive to this end, and would particularly call your attention to those alterations suggested by the report of the Railroad Commissioners.

REUNION OF THE GRAND ARMY OF THE REPUBLIC.

It becomes my pleasant duty to inform the Legislature that many thousand representative soldiers of the Grand Army of the Republic, at home and from distant States, will meet together and be in session several days, in the city of Portland, in June, to cultivate their early friendships and renew remembrances of the recent war for the Union. It is a high honor for the State of Maine to extend the right hand of fellowship to such a powerful organization of the veterans who did so much to save this Union. The flight of passing years is casting its solemn shadow upon the thinning ranks of brave men, and we stand beneath the pledge of sacred promises, never to forget the heroes who have preserved for us and posterity the grand heritage of a united country. Let this reunion be the occasion of a hearty public reception, never to be forgotten; for a similar opportunity will never again present itself for us to show our appreciation of the presence and services of the veteran soldiers. For the honor and credit of the State, let us spare no pains or labor to give the occasion such an expression of good will as always measures the hospitality and sympathy of a generous and patriotic people.

In accordance with the petition of many of our citizens, I recommend that a suitable appropriation be made to defray a just portion of the expenses incident to such an occasion.

THE WORLD'S INDUSTRIAL AND COTTON CENTENNIAL EXPOSITION AT NEW ORLEANS.

The importance of aiding the praiseworthy efforts of an extreme Southern State not only to develop its own resources, but also to show the material prosperity of the whole Nation, induced me, without direct authority of the State, to appoint a commission of eight of our fellow citizens to solicit contri-

butions of our products, inventions and discoveries, to be duly exhibited at the great New Orleans Exposition. This work has so far been done without expense to the State, and with gratifying results. Through the efforts of Hon. J. B. Ham of Lewiston, Commissioner, and his seven associates, the State of Maine showed itself an early friend to this philanthropic and national movement, which cannot fail to strengthen the bonds of union and fraternal feeling between the different sections of the country. This exposition marks the progress of an advancing civilization, as one of its features is a display of the handiwork and inventions of the colored people of the South. May we not hope that the crust of the solid South will be more easily broken by these methods of pushing to the front new ideas, and evidences of progress, and that a better acquaintance will aid in establishing reciprocal business and friendly relations throughout the entire country. At a later period I may be able to present a complete report from the Commissioners, with additional suggestions.

STATE BOARD OF CHARITY.

The appointment of a State Board of Charity composed of members representing both sexes has been an effectual method elsewhere of developing and systematizing humane work, and thereby dispensing with more certainty the public and private gifts of charity to all the unfortunate. Such a board has been employed in obtaining subscriptions and bequests from wealthy citizens for charitable institutions and objects of a public character, and by private contributions all expenses of the board may be paid. Many of the states of the Union are provided with such a board, and yearly state and national meetings are held for consultation and information, and are productive of much good in making more practicable the policy and humane principles of government and the problems of common life. In the interest of more extended benevolence I would call your attention to this subject.

STATE BOARD OF HEALTH.

The preservation and improvement of public health are at all times matters of the greatest importance. We are informed that the Asiatic cholera in Europe, in epidemic

form, has been pressing steadily westward during the past two years, and is now menacing our own homes; for in the judgment of those whose opinion is entitled to great weight, it may at any time make its appearance in this country. I would ask the Legislature to provide by law, should the disease find lodgment in our State, for an Executive appointment of a State Board of Health, to co-operate with the municipal authorities of cities and towns for the enforcement of such sanitary and police regulations as will render the most prompt and efficient service wherever danger exists. To this end I would ask a careful examination of existing sanitary laws, with a view of making new enactments, if necessary, for the purpose of securing the greatest public safety.

TEMPERANCE AND PROHIBITION.

By a resolve of the last Legislature, an amendment to the constitution of the State, so as to make the sale of intoxicating liquors forever prohibited by the provisions of that instrument, was submitted to the voters of Maine, at the election last September, and the return of 70,783 votes for its adoption, and 23,811 votes against it, indicates an emphatic declaration on the part of the people in favor of prohibition. That amendment became part of the constitution on the first Wednesday of the present month. The constant agitation of the subject of temperance has created a firm adherence of the people of our State to the principles of prohibition. I am able to say that during the past year there have been 818 prosecutions for violating the liquor law and 163 prosecutions for maintaining nuisances, making a total of 981 cases, against an average of 588 for the past six years. And this increased number of prosecutions has had a good influence upon the amount of other crime in the State. Our example has been potent in the promotion of temperance reform in other States, and the "Maine law," which in earlier times was looked upon as premature, or too progressive legislation, is now pointed to with pride by the faithful advocates of temperance, not only at home but in foreign countries. Its claim for public support rests upon its good effects in our own State and wherever else it has been adopted. The value of the prohibitory law has been shown by the

restrictions imposed upon the sale of intoxicating liquors throughout the State. Statistics furnish us with conclusive evidence that far less intoxication and its fruitful evil consequences exist, than were seen in earlier periods. In no city or town in our State does one see the open advertisements of the bar-room inviting the young, as well as the old, to indulge in a habit so degrading as the habitual use of intoxicating liquors. Criminal statistics show that the law has been beneficial in restraining crime, and the number of indictments found against the violators of the law in all of our courts, and the fines and costs, or sentences of imprisonment imposed, prove the general willingness of the people to assist in its enforcement. The present prohibitory law is the growth of over thirty years, the original law of 1851, having been followed by thirty-nine statutes in reference to intoxication and the sale of intoxicating liquors. The present law may, therefore, be considered sufficient to cover all violations of its provisions that can possibly occur, and its weakness seems to be in its non-enforcement by those officers whose duty it is to execute the laws of the State. The laws of the State are well defined and emphatic and should compel officers, not only by a sense of duty and honor, but by the religious regard for a sacred oath to specially enforce the provisions of the prohibitory statute. In a very few localities, its general enforcement is disregarded. Special provisions have been incorporated into the law to remedy this negligence on the part of county and municipal officers, and the Governor and Council have frequently been called upon to appoint special constables to enforce it. In some cases such officers have been appointed, and always when needed and practicable. While I would not recommend the repeal of that portion of the law, I have failed to see its good effects even when an opportunity has been given to test it. An appointment of this kind brings with it an implied unpleasant censure and reprimand, not only to the officers but to the citizens of the locality thus temporarily placed under the guardianship of the State. This is considered so offensive that county and municipal officers, and citizens are too apt to fall back into inactivity and leave the State constable, single-handed, to execute the law. Every endeavor should be made to secure the enforcement of the prohibitory law by the regularly

chosen officers. Public sentiment has much to do with this question; the enforcement or non-enforcement of prohibition in any locality depends upon the general disposition of the people. Prohibition is no longer a question for a political campaign; it is forever settled, and cannot be changed until the people give their consent. If anything further can be done to increase the sobriety and morality of the people by temperance legislation I hope it will receive your careful consideration. It should not be forgotten that too frequent changes destroy the efficiency and moral power of enforcing laws, and that "no principle of criminal law is better settled than that the certainty of punishment is more important than severity." One objection to the constabulary law could be removed by requiring State constables to give sufficient bonds for faithful performance of duty, as is required of all county and municipal officers of like character. Provisions should also be made for removal from office for good and sufficient reasons.

LAW DEPARTMENT.

I have the honor to submit the valuable report of the Attorney General of the State, whose distinguished services for the past five years, requiring a vast amount of labor, have contributed much to the welfare of the State and to his own honor; and I would particularly call your attention to that part of his report which relates to the seemingly unjust enforcement of the law relating to apothecaries and treasurers of business corporations.

MAINE GENERAL HOSPITAL.

This Institution by private benevolence has very much enlarged its facilities for curing and ameliorating human suffering, and its advantages are now sought after by people from every portion of the State. It is one of the best institutions of the kind in the country, and I would recommend that the appropriation of last year be continued, if not increased, so that its advantages may be enjoyed by every class of people.

FEMALE SUFFRAGE.

I would call your attention to the necessity of some change of our laws which would and should give woman increased opportunities to discharge the duties of citizenship. By innumerable deeds of noble conflict on every field of moral, intellectual and social effort, woman has won equal honors with the other sex, and established by works her right to a just recognition and equality which selfish rule has heretofore prevented. Intelligence of the citizen is the only true basis of suffrage, and if equality is assured, let us not ignore its logical consequences, but give to woman all the rights of citizenship. To this end, as a step in the right direction, I would ask the passage of a general law recognizing the eligibility of woman to hold any office not prohibited by the constitution.

SUPPORT OF PAUPERS IN UNINCORPORATED PLACES.

The appropriation for "Support of paupers in unincorporated places" should be increased from \$6,000, the amount of the usual appropriation, to \$7,000, or possibly \$7,500, to meet the prospective demands which must arise from the creation, by the laws passed by the last Legislature, of an entirely new class of State pauper claims.

FOOT AND MOUTH DISEASE.

This dreaded malady was introduced into this State by a herd of cattle imported from abroad. It first made its appearance in the towns of Westbrook and Falmouth, last February. By prompt and well directed efforts on the part of the State and town officials, the disease was satisfactorily controlled and exterminated without great pecuniary loss. The expense and damage has been adjusted at a cost of \$5,545.74. The State is liable for \$4,668.31, as its proportion of this amount. I would ask for an early appropriation to adjust this demand against the State.

DEPARTMENT OF INSURANCE.

Insurance of life and property is now so general that the State should protect the people against imposition. At the present time the companies permitted to do business in the State are believed to be sound. Life assurance by mutual benefit associations may be encouraged, if organized within the State, but those organized or conducted in other States, unless connected with some recognized charitable order, should be prohibited under heavy penalties from operating in this State.

CORPORATIONS.

Since Maine became a State four thousand companies for various objects have been incorporated by special act, or organized under general law, a large majority of which exist to-day only in name and without any financial standing. Such corporations are increasing at the rate of about two hundred a year. Our laws in this respect are very loose, and should receive your attention. They require neither paid up capital stock nor intention to do business in this State as the prerequisite of organization, and thereby offer opportunity for the formation of fraudulent corporations, by which our people and those of other States are liable to be defrauded. The law should require the payment of a portion of the capital stock before organization, and the charter fee to the State should be increased to a respectable figure, as a revenue towards lessening public burdens.

LABOR.

The employment of women and minors by our manufacturing corporations has created considerable criticism in consequence of the violation of the law restricting them each day to a limited period of labor, and I would suggest the matter be sufficiently considered to the end that the law shall be rigidly enforced by additional enactments, so that the hours to be fixed for labor correspond with the best interests of the laboring classes.

TAXES.

There appears to be an inequality and burden of taxation resting on the real estate and visible property of the State which former Legislatures have but partially remedied. A new system of taxation was wisely inaugurated in 1874 which has received popular sanction. This departure has already removed a part of the burden from the great productive industries of the State, by placing a more just proportion of the tax on corporations and other business industries never before taxed. The Governor and Council of 1884 assessed a tax of this character on railroad, telegraph, telephone and express companies, amounting to \$110,586.62. The tax on insurance companies paid into the office of the State Treasurer the past year amounts to \$16,766.44. This policy and system should be regulated so as to give an increased revenue, and new methods be devised for additional sources of taxation, so that at the earliest day all the expenditures of the State government may be paid thereby without assessing a single dollar on the towns and cities of the State. To this end, and in the interest of a just taxation for equalizing public burdens, I would earnestly call the attention of the Legislature. From an examination of the Treasurer's accounts, it seems to me that it may be practicable, for the coming two years, to reduce the rate of taxation from four mills to three and one-half mills. The times imperatively demand economy and all necessary retrenchment that there may be no useless appropriations of the people's money and that low taxes everywhere may be assured.

IMPORTANT MATTERS.

There are special subjects intimately connected with the welfare and requirements of a State over which local legislation has a well defined and separate jurisdiction. I have called your attention to some of them, but many are necessarily omitted.

The American Union is but the aggregate of States forming one complete sisterhood, having a common interest and united by inseparable bonds. There is a general public interest of a national character, not limited to a single State,

but as important and far-reaching as the purposes of a consolidated government and a united confederacy can make potential. All public questions which affect the nation as a whole, practically become of equal importance to every section of our country. This Nation is distinguished as being the model free government of the civilized world, and its position thereby is a responsible one. Notwithstanding this, we have in this country seven millions and a half of children outside of the school-room growing up in ignorance and its direful consequences. Over five millions, or one-tenth of the population of this Nation, above ten years of age cannot read or write. The voters in the sixteen Southern, formerly slave-holding States, constitute one-third of our voting population, and thirty-two and three-tenths per centum of this number cannot read the simplest English sentence or write a ballot. This kind of ignorance exists, though in a far less degree, however, in every State in this Union, and begets personal dependence upon others for the most trivial information. It destroys the dignity of a true and intelligent manhood, and encourages the worst forms of political corruption and bribery. Ignorant voters constitute a bulwark behind which base demagogues and pretenders find refuge and use for their selfish purposes. Education begets qualifications, which, when sustained by a high moral character, prepare man for every duty in life and every responsibility that government expects him to bear.

John Adams, in the early days of the Republic, said: "The whole people must take upon themselves the education of the whole people, and must be willing to bear the expense of it." Statistics show that the dark clouds of the Nation's illiteracy and its sad consequences, more than any other cause, darken the sun-light of American civilization. A national evil calls for a national remedy. The recommendation which comes from the wisest and most philanthropic men of the Nation in favor of national aid for education, should receive the careful consideration of Congress; and an early action is one of the necessities for national security.

The recent national election for President developed an unusual political excitement, which unfortunately was intensified by personal abuse of the character of the candidates, necessarily demoralizing the higher purposes of a political

canvass. The State of Maine, by an unmistakable popular vote, declared its allegiance and faith in the principles and policy of the Republican party, which has uninterruptedly for a quarter of a century governed this Nation, and also confirmed its attachment to, and confidence in the ability and integrity of character of our respected fellow citizen, who by the emphatic voice of his party became its honored chieftain and leader. In the disappointment of party defeat, as well as in the hour of victory, James G. Blaine will carry into the future a stainless record, supplemented by the recollection of the fidelity of his own State, and the unfaltering trust of a confiding people.

The majority of the voters of this Nation appear to prefer a change in its administration, which sentiment, however, is much more apparent among those States that for several years were outside of the Union than elsewhere. To this decree the minority party will gracefully submit. The loyalty of the people of Maine rises above all party considerations, and is a sure guarantee that our citizens, of every political faith, will render a united service in aiding and sustaining the incoming officers of the general government in the discharge of their public duty ; and it is a reasonable expectation that the future will find our noble ship of State pursuing a prosperous course, sustained by the honest endeavors of true patriotism and wise statesmanship. Let us continue to keep step to that music of the Union which has always inspired the loyal heart of the Nation.

Freedom and equality of the citizen are the first elements of a popular government ; they are the natural attributes of the human heart and the teachings of enlightened wisdom. It is one of the results of the recent war, supplemented by the voice of the American people, that our constitutional obligations to protect the rights and equality of the citizen has been proclaimed and made sacred. The weight of prejudice, and a legal and social recognition of inferiority of race, during many scores of years, have made the color line the cause of great injustice, and there seem to be reasons in some quarters for active national interference, in order that many of our citizens, both educated and lowly, may be better protected in life, liberty and the pursuit of happiness. Human government fails to discharge its highest duty when it neg-

lects to protect the rights of its most humble citizen. The rights of the citizen will not be secured until he has a free ballot, and an honest return and count thereof. The intimidation of voters in the South, and the frauds and bribery practiced in other sections of the country, menace the perpetuity of the Republic.

I would call the attention of the Legislature to the alarming evils which result from the large expenditure of money in our national, State, and not unfrequently in our municipal elections. The civil service rules as applied to Federal office-holders have practically broken up a corrupt and oppressive practice of assessing candidates for office by party managers, and the means of corrupting the purchasable voter has been lessened. I would recommend that the principles of civil service be adopted by our own State, by the enactment of such laws as will hereafter prohibit the collection of political assessments from any officer or employe' in our State, county or municipal governments, similar to the law which was enacted by the Legislature of New York. The shameful practices of bribery and intimidation in our elections are not confined to a single State or to one party. It may become so general, unless speedily checked, that the elections will no longer be the expression of free public sentiment, but simply the recorded result of the highest bribe for the voter. England, and many of the States of this Union, have taken advanced action on this subject, and I recommend that our election laws be carefully considered by an appropriate committee of the Legislature for the purpose, if practicable, of more effectually preventing intimidation, bribery and corruption in our elections when and where they may exist. Let us secure in season better methods of detection, increased penalties and surer enforcement of the laws, that the practices of other States, as yet comparatively unknown in our elections may never disturb the justice and freedom of the popular voice of the State of Maine.

CONCLUSION.

I have endeavored to lay before you such recommendations and suggestions as seem to me to be essential at this time to the proper legislation and government of the State. Whatever subjects I may have omitted, I trust that your own

observation and care will supplement. Let us to whom the affairs of our beloved State are entrusted be moved by the influences which recognize the supremacy of law and order and the rights of man, keeping constantly in view the lessons of the past which inculcate the historic truth that the perpetuity of a free government is based upon universal intelligence and that Righteousness which exalteth a nation. The primitive New England home, with its simplicity, frugality and Christian virtues, must be cherished as the nursery of that noble manhood and womanhood which are the essentials of a strong and happy State. May our action and example, as proud and loyal sons of Maine, by the blessings of God, redound to His glory and the continued prosperity of the Commonwealth.

FREDERICK ROBIE.

GOVERNOR ROBIE'S MESSAGES.

EXECUTIVE DEPARTMENT, }
AUGUSTA, January 23, 1885. }

*To the Honorable, the President of the Senate and the
Speaker of the House of Representatives:*

GENTLEMEN: I respectfully submit for your consideration a communication, this day received from Hon. J. B. Ham, Commissioner for the State of Maine to the World's Industrial and Cotton Centennial Exposition, at New Orleans, La., with the accompanying memorial, and ask such action as seems to you wise and expedient.

Very Respectfully,

Your obedient servant,

FREDERICK ROBIE.

EXECUTIVE DEPARTMENT, }
AUGUSTA, March 6, 1885. }

To the Senate and House of Representatives:

I transmit herewith a list of the Acts and Resolves passed during the present session of the Legislature, and approved by me, numbering 292 Acts and 77 Resolves.

I have no further communication to make.

FREDERICK ROBIE.

STATE OF MAINE.

A PROCLAMATION BY THE GOVERNOR.

WHEREAS, the Legislature of the State of Maine, by the concurrent vote of both branches thereof, proposed an amendment to the Constitution of the State of Maine, by resolves, approved February 21, 1883, as follows, to wit:

Resolves providing for an amendment of the Constitution, forever prohibiting the manufacture of intoxicating liquors, and prohibiting their sale except for medicinal and mechanical purposes and the arts.

Resolved, Two-thirds of both houses of the Legislature concurring, that the following amendment to the Constitution of the State be proposed, viz:

The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider may be permitted under such regulations as the Legislature may provide. The Legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified.

Resolved, That the aldermen of cities, selectmen of towns, and assessors of plantations, in the State, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations, in the manner prescribed by law, at the September election next ensuing after the passage and approval of these resolves, to give in their votes on the question whether the amendment to the Constitution proposed in the foregoing resolve shall be made; and the question so submitted shall be: 'Shall the Constitution be amended so

as to prohibit forever the manufacture, sale and keeping for sale of intoxicating liquors as provided by the said amendment?' And the inhabitants of said cities, towns and plantations, shall vote by ballot on said question,—those in favor of the amendment expressing it by the word 'yes' upon their ballots, and those opposed to the amendment by the word 'no' upon their ballots; and the ballots shall be received, sorted, counted, declared and recorded in open ward, town and plantation meeting, and lists of the votes so received shall be made and returned to the Secretary of State in the same manner as votes for Governor. And the Governor and Council shall open, examine and count the same, and make return thereof to the next Legislature, and if it shall appear that a majority of the votes is in favor of said amendment, the Governor shall, by his proclamation, declare such amendment to be adopted, and the Constitution shall be amended accordingly, to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-five.

Resolved, That the Secretary of State shall prepare and furnish to the several cities, towns and plantations, ballots and blank returns, in conformity to the foregoing resolves, accompanied with a copy thereof; and that the aldermen of the several cities, the selectmen of the several towns, and the assessors of the several plantations, in the State, shall provide at each polling place a separate box to receive the ballots of the electors in relation to the proposed amendment.

And the lists of votes received in the cities, towns and plantations of the State, on the second Monday of September last, being the eighth day of said month, upon the foregoing proposed amendment, having been made and returned to the office of Secretary of State, and examined and counted by the Governor and Council, are found to be as follows, to wit: Seventy thousand seven hundred and eighty-three votes for, and twenty-three thousand eight hundred and eleven votes against, said proposed amendment.

Now, therefore, I, Frederick Robie, Governor of the State of Maine, in accordance with said resolves, a majority of the votes thrown appearing to be in favor of said amendment, do issue this Proclamation, and declare such amendment adopted, and the Constitution of the State shall be amended ac-

cordingly, to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-five.

In testimony whereof, I have caused the seal of the State to be hereunto affixed, at Augusta, this third day of December, in the year of our Lord one thousand eight hundred and eighty-four, and in the one hundred and ninth year of the Independence of the United States of America.

FREDERICK ROBIE.

BY THE GOVERNOR.

JOSEPH O. SMITH, *Secretary of State.*

OPINIONS OF THE SUPREME JUDICIAL COURT.

The following opinion of the Supreme Judicial Court was received by the Secretary of State, December 3, 1883, addressed to the Speaker of the House of Representatives, and bearing the date of August 21, 1883:

An order of the House of Representatives was passed requiring the justices of the Supreme Judicial Court to give to the House their opinion whether the apportionment bill then before that body "if passed by the Legislature as proposed will be in accordance with the Constitution of the State."

Before the order was forwarded to the undersigned, the apportionment bill, "as proposed" became by the action of the Legislature, the law of the land and presumably constitutional. The inquiry proposed by the order had relation to the future action of the House. It applied to a law which might or might not be passed, not to one in force. The future action, to which alone it related, was had before the order was transmitted to the undersigned, so that when received, the occasion on which and the purpose for which it was passed, had ceased to exist.

Inasmuch as the action of the House was had before the order was received or a reply could have been given, as the apportionment bill is one resting on the sound judgment and discretion of the Legislature, we have regarded the action of the House as clearly indicating that a reply was neither required or desired, and that if in the future a question should by any possibility arise as to the validity of the bill in question, it could best be heard and determined upon agreement and in the usual course of judicial procedure.

JOHN APPLETON,
C. W. WALTON,
WM. G. BARROWS,
CHAS. DANFORTH,
WM. WIRT VIRGIN,
JOHN A. PETERS,
ARTEMUS LIBBEY,
JOSEPH W. SYMONDS.

CIVIL GOVERNMENT
OF THE
STATE OF MAINE,

FOR THE POLITICAL YEARS

1885-6.

GOVERNOR:

FREDERICK ROBIE,
GORHAM.

COUNCILLORS:

SILAS C. HATCH, BANGOR.
JOSEPH A. LOCKE, PORTLAND.
GEORGE R. FERNALD, WILTON.
ANDREW R. G. SMITH, WHITEFIELD.
ERNEST M. GOODALL, SANFORD.
AUGUSTUS R. BIXBY, SKOWHEGAN.
LAMBERT SANDS, SEBEC.

ORAMANDAL SMITH, LITCHFIELD, *Secretary of State.*
S. J. CHADBOURNE, DIXMONT, *Dep. Secretary of State.*
EDWIN C. BURLEIGH, BANGOR, *Treasurer of State.*
SAMUEL J. GALLAGHER, AUGUSTA, *Adjutant General.*
ORVILLE D. BAKER, AUGUSTA, *Attorney General.*
NELSON A. LUCE, VASSALBORO', *State Superintendent of
Schools.*
CYRUS A. PACKARD, BLANCHARD, *Land Agent.*
JOSIAH S. HOBBS, AUGUSTA, *Librarian.*
CHARLES J. HOUSE, MONSON, *Messenger to the Governor
and Council.*

SENATE.

WILLIAM D. PENNELL, President.

<i>First Senatorial District</i>	George S. Goodwin, Charles W. Smith, Rufus P. Tapley.
<i>Second Senatorial District</i>	David H. Cole, Fabius M. Ray, George P. Wescott, Stephen J. Young.
<i>Third Senatorial District</i>	Henry M. Bearce, Albion P. Bonney.
<i>Fourth Senatorial District</i>	William D. Pennell, William D. Roak.
<i>Fifth Senatorial District</i>	Philip H. Stubbs.
<i>Sixth Senatorial District</i>	John H. Kimball.
<i>Seventh Senatorial District</i>	George E. Weeks, Francis E. Heath.
<i>Eighth Senatorial District</i>	Stephen A. Nye.
<i>Ninth Senatorial District</i>	Augustus G. Lebroke.
<i>Tenth Senatorial District</i>	John L. Cutler, Samuel Libbey, Philip Wilson.
<i>Eleventh Senatorial District</i>	Sebastian S. Marble.
<i>Twelfth Senatorial District</i>	Samuel H. Allen, Thaddeus R. Simonton.
<i>Thirteenth Senatorial District</i> ..	Joseph R. Meurs, Alfred E. Nickerson.
<i>Fourteenth Senatorial District</i> ..	Oliver P. Bragdon, Guy W. McAllister.
<i>Fifteenth Senatorial District</i> ...	Edward A. Austin, Seward B. Hume.
<i>Sixteenth Senatorial District</i> ...	Ansel L. Lumbert, Elisha E. Parkhurst.

CHARLES W. TILDEN, *Secretary*.
 KENDALL M. DUNBAR, *Assistant Secretary*.
 CHARLES H. LOVEJOY, *Messenger*.
 F. E. VOTER, *Assistant Messenger*.
 A. B. T. CHADBOURNE, *Folder*.
 ERNEST H. WHEELER, *Page*.
 FRANK A. SMALL, *Reporter*.

Clergymen of Augusta, Hallowell and Gardiner, *Chaplains*.

House of Representatives.

CHARLES HAMLIN, Speaker.

COUNTY OF ANDROSCOGGIN.

Auburn	Benjamin J. Hill, Silvester Oukes.
Leeds	Seth Howard.
Lewiston	D. J. McGillicuddy, L. J. Martel, J. M. Robbins, Charles Walker.
Lisbon	Jeremiah Philbrook.
Livermore	John O. Palmer.
Minot	Prescott R. Cobb.
Poland	Benjamin H. Noble.

COUNTY OF AROOSTOOK.

Amity	Charles E. Dunn.
Bridgewater	James H. Kidder.
Fort Fairfield	Daniel S. Jones.
Fort Kent	William Dickey.
Frenchville	Peter D. Gagnon.
Grand Isle	Alexis Cyr.
Houlton	Frederic A. Powers.
Masardis	William Cowperthwaite.
Perham Plantation	James Nutting.
Presque Isle	Thomas H. Phair.

COUNTY OF CUMBERLAND.

Baldwin	Isaac W. Dyer.
Bridgton	William W. Cross.
Brunswick	Franklin Adams.
Cape Elizabeth	Clement E. Staples.
Cumberland	Clinton M. Hamilton.
Deering	Henry B. Webb.

COUNTY OF CUMBERLAND—CONCLUDED.

Gorham	Edward Harding.
Gray	George A. Morrill.
Harrison	Thomas D. Emery.
Naples	Llewellyn Barton.
Portland	Clarence Hale, Elias Thomas, Charles P. Mattocks, Daniel W. Ames, Orville K. Gerrish.
Pownal	Levi P. Cushman.
Scarborough.....	Otis Kaler.
Westbrook.....	Charles B. Woodman.
Windham.....	John M. White.
Yarmouth	Lorenzo L. Shaw.

COUNTY OF FRANKLIN.

Farmington	Edward P. Davis.
Madrid	William L. Dunham.
Weld.....	Joseph S. Houghton.
Wilton	Edward P. Packard.

COUNTY OF HANCOCK.

Amherst.....	William L. Hussey.
Bluehill.....	Edward E. Chase.
Brooksville	Charles H. Perkins.
Bucksport	Albert H. Genn.
Eden	Serenus H. Rodick.
Ellsworth.....	Charles C. Burrill.
Penobscot.....	John P. Haney.
Sullivan	Barney B. Havey.
Swan's Island.....	William P. Herrick.

COUNTY OF KENNEBEC.

Augusta	Herbert M. Heath, Ira H. Randall.
Benton.....	Sprague Holt.
Chelsea	William T. Searls.
Farmingdale.....	Levi M. Lancaster.

COUNTY OF KENNEBEC—CONCLUDED.

Gardiner	Gustavus Moore.
Hallowell	Albert M. Spear.
Monmouth	Otis W. Andrews.
Oakland	Albion P. Benjamin.
Rome	John R. Prescott.
Vienna.....	Albion G. Whittier.
Waterville	Frederick C. Thayer.
Windsor.....	Samuel P. Barton.

COUNTY OF KNOX.

Appleton	Elijah D. Gushee.
Camden	E. Frank Knowlton.
North Haven.....	George F. Lewis.
Rockland.....	John S. Case, Charles E. Littlefield.
St. George.....	Henry F. Kalloch.
Thomaston.....	Joseph E. Moore.
Union	Emery F. Joy.

COUNTY OF LINCOLN.

Bristol	Thomas Couch.
Jefferson.....	Joseph J. Bond.
Newcastle	Samuel D. Wyman.
Southport	Clark L. Nelson.
Waldoborough	Charles C. Eugley.
Wiscasset.....	Richard H. Tucker.

COUNTY OF OXFORD.

Brownfield	Bradford Cole.
Canton.....	Charles H. Gilbert.
Lovell	Clayton M. Stearns.
Milton Plantation	George E. Brown.
Norway.....	William W. Whitmarsh.
Peru	William H. Walker.
Stoneham.....	Jonathan Bartlett.

COUNTY OF PENOBSCOT.

Bangor	Charles Hamlin, Hiram H. Fogg, Charles E. Field.
Brewer	George W. Patten.
Carmel.....	F. M. Simpson.
Corinna.....	Hosea B. Rackliff.
Corinth.....	George H. Smith.
Dixmont.....	Benjamin Bussey.
Eddington	Jerome H. Comins.
Garland	Elisha S. Coun.
Hampden	Henry W. Mayo.
Howland	Emery R. Bailey.
Lee.....	George W. Coffin.
Oldtown.....	George T. Sewall.
Orono.....	A. F. Lewis.
Patten.....	Daniel Scribner.

COUNTY OF PISCATAQUIS.

Foxcroft	Thomas F. Dyer.
Milo	Orrin W. Freeman.
Monson	John F. Sprague.

COUNTY OF SAGADAHOC.

Bath	John S. Elliot.
Georgetown.....	Benjamin F. Hinckley.
Richmond	Harrison Springer.
Topsham.....	Isaac E. Mallett.

COUNTY OF SOMERSET.

Anson.....	John Tinkham.
Cambridge	Timothy Ham.
Canaan	Salem Edmunds.
Concord	William W. Hamblet.
Madison	William H. Blackwell.
Pulmyra	Virgil D. Sweetland.
Skowhegan.....	Sylvester J. Walton.
Smithfield	Otis Sawyer.

COUNTY OF WALDO.

Belfast	Nathan F. Houston.
Burnham	Isaac C Libby.
Montville	Jonathan Bartlett.
Morrill.....	Israel Woodbury.
Northport	Lucius H. Duncan.
Searsport	B. F. Pendleton.
Winterport.....	George W. Ritchie.

COUNTY OF WASHINGTON.

Addison	Albion P. Coffin.
Calais	Edward C. Goodnow.
Danforth.....	Henry C. Goodwin.
East Machias	B. Thomas Chaloner.
Eastport.....	Simon Stevens.
Edmunds	Aaron K. Hobart.
Machias	Charles O. Furbush.
Machiasport.....	George F. Warren.
Millbridge	Francis A. Googins.
Perry	William H. Lincoln.

COUNTY OF YORK.

Acton	Oliver C. Titcomb.
Berwick	John H. Stillings.
Biddeford.....	Daniel Cote,
	Frank S. Warren.
Buxton	Frank J. Leavitt.
Eliot	Samuel E. Cole.
Kennebunk.....	Joseph Parsons.
Kennebunkport.....	Enoch Cousens.
Kittery.....	Jesse E. Frisbee.
Limerick	William W. Mason.
Lyman	Sylvester Hill.
Parsonsfield	Dominicus Ricker.
Saco	Ira H. Foss.
Sanford	Benjamin Beal.
York.....	Samuel W. Junkius.

NICHOLAS FESSENDEN, *Clerk.*
WILLIAM S. COTTON, JR., *Assistant Clerk.*
WILLIAM J. SMITH, *Messenger.*
JOHN F. CHASE, *1st Assistant Messenger.*
GEORGE H. FISHER, *2d Assistant Messenger.*
FRED A. STEVENS, *Folder.*
J. F. FREDERIC, *Folder.*
FRED B. HILL, *Page.*
HORACE W. PHILBROOK, *Page.*
REV. D. B. RANDALL, *Chaplain.*
J. A. HAYDEN, *Reporter.*

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